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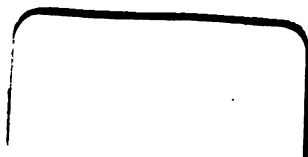
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THE STATE OF OHIO,

GENERAL AND LOCAL ACTS

PASSED

AND

JOINT RESOLUTIONS

ADOPTED

BY THE

Sixty-Ninth General Assembly

AT ITS REGULAR SESSION,

Begun and Held in the City of Columbus, January 6th, 1890.

VOLUME LXXXVII.

COLUMBUS:

PUBLISHED BY STATE AUTHORITY.

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1890.



GENERAL LAWS.

[House Bill No. 2.]

AN ACT

Making appropriation for expenses of the general assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there is hereby appropriated from any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of thirty thousand dollars (\$30,000) for salaries and mileage of members, per diem of clerks, sergeants-at-arms, and other officers and employes of the general assembly, five hundred dollars (\$500) for contingent expenses of the house, and five hundred dollars (\$500) for contingent expenses of the senate.

Appropriation
for legislative
expenses.

SECTION 2. This act shall take effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 9, 1890.

1G

[Senate Bill No. 9.]

AN ACT

To authorize cities of the third grade of the first class to sell general fund bonds, issued for natural gas purposes, at private sale.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever any city of the third grade of the first class shall have issued general fund bonds for natural gas purposes, under authority of an act of the general assembly of the state of Ohio, passed January 22, 1889, and shall have twice advertised such bonds for sale as required by law, and any portion of such bonds shall remain unsold, then in that event such city is hereby authorized to sell such bonds or any portion of the same at private sale, at not less than par and accrued interest. And the mayor, city auditor and board of natural gas trustees, for such city, are hereby consti-

Cities third
grade, first
class, author-
ized to sell
natural gas
bonds at pri-
vate sale.

tuted a commission to negotiate and sell such bonds for and on behalf of such city.

SECTION 2. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Passed January 15, 1890.

2G

[House Bill No. 84.]

AN ACT

For the benefit of Mrs. John B. Lawlor.

Appropriation
for benefit of
Mrs. John B.
Lawlor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the sum of \$600 be and the same is hereby appropriated and allowed to Mrs. John B. Lawlor, widow of Hon. John B. Lawlor, member-elect to this house, who died on the 16th day of January, 1890; the same being the amount which would have been due the said Lawlor, for one year's services as member of this house; and that the same be paid from any money in the treasury not otherwise appropriated.

SECTION 2. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Passed January 27, 1890.

3G

[House Bill No. 5.]

AN ACT

To repeal an act entitled "an act to amend section 2412 of the Revised Statutes," passed April 15, 1889, and to re-enact said original section.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "an act to amend section 2412 of the Revised Statutes," passed April 15, 1889, be and the same is hereby repealed, and said original section 2412 is hereby re-enacted in its original form, to-wit:

Disposition of
surplus.

Sec. 2412. If there is any surplus, after paying the expenses of conducting and managing the water-works, the same may be applied to the repairs, enlargement, or extension of the works, or of the reservoirs, the payment of the interest of

any loan made for their construction, or for the creation of a sinking fund for the liquidation of the debt; and the amount authorized to be levied and assessed for water-works purposes shall be applied by the council to the creation of a sinking fund for the payment of the indebtedness incurred for the construction and extension of water-works, and for no other purpose whatever.

SECTION 2. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.

4G

[House Bill No. 91.]

AN ACT

To authorize the council of any incorporated village within this state which at the last federal census had, or at any subsequent federal census may have, a population of not less than 1,205, nor more than 1,210, to issue bonds for the purpose of developing natural gas, petroleum and coal.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village within this state which, at the last federal census had, or at any subsequent federal census may have, a population of not less than 1,205, nor more than 1,210, is hereby authorized and empowered to issue bonds, not exceeding in amount the sum of twenty-five hundred dollars (\$2,500), for the purpose of procuring territory and developing natural gas, petroleum and coal, either within or without the limits of such incorporated village. Such bonds shall be signed by the mayor of such village, and countersigned and registered by the clerk thereof, and may be issued in any denominations of not less than one hundred nor more than five hundred dollars, bearing interest at a rate of six per centum per annum, payable annually, running not to exceed six years from date of issue, and shall be payable in such amounts each year as the council of such village may determine, and such bonds shall not be sold for less than par.

Certain villages authorized to issue bonds for developing natural gas, etc.

Denomination, interest, etc.

SECTION 2. For the payment of the principal and interest of said bonds, as the same shall become due, the council of such village is hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village, in such amounts each year as will meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the county auditor and collected as other taxes.

Levy of tax.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.

5G

[Senate Bill No. 17.]

AN ACT

To provide for a deficiency caused by the publication of the constitutional amendments.

Deficiency appropriation for publication of constitutional amendments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of \$91,737.46, to pay for the publication of the constitutional amendments, provided for by the act passed April 15, 1889 (O. L., pp. 321 and 322). The same shall be paid in accordance with section 5 of said act, upon the warrant of the auditor of state, upon vouchers approved by the supervisor of public printing.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 6, 1890.

6G

[Senate Bill No. 43.]

AN ACT

Making appropriations for the governor's inauguration.

Appropriation for expenses incurred in inauguration of governor-elect.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the state treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of two hundred and fifty-two dollars (\$252), for expenses incurred in the inauguration of the governor-elect on the 13th day of January, 1890, to be paid out upon vouchers approved by the chairman of the joint committee having in charge the inauguration ceremonies.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 6, 1890.

7G

[House Bill No. 99.]

AN ACT

Making appropriations for the support of common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any moneys raised or coming into the state treasury for the support of common schools, the sum of one million, seven hundred and thirty-six thousand, eight hundred and forty-six dollars and thirty cents (\$1,736,846.30), or so much as may come into the treasury for that purpose, to be distributed and paid in manner provided by law agreeable to section 3956 of the Revised Statutes.

Appropriation
for support of
common
schools.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 6, 1890.

8G

[House Bill No. 194.]

AN ACT

To provide for the distribution of supreme court calendars and rules of practice.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the sum of fifty dollars (\$50.00) be and the same is hereby appropriated and allowed to the clerk of the supreme court, for the purpose of paying the expense necessary for the distribution of the supreme court calendar for the January term, 1890, and the revised rules of practice, and that the same be paid from any money in the treasury not otherwise appropriated.

Appropriation
for distribu-
tion of su-
preme court
calendar and
rules of prac-
tice.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 6, 1890.

9G

[Senate Bill No. 5.]

AN ACT

For the relief of Chas. W. Cook, late corporal of Co. I, 1st regiment of infantry, Ohio national guard.

**Appropriation
or relief of
Chas. W. Cook.**

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of the state of Ohio be and he is hereby authorized and required to issue his warrant on the state treasurer to pay to Chas. W. Cook, late corporal of Co. I, 1st regiment of infantry, Ohio national guard, and now living at Cincinnati, Hamilton county, O., the sum of seven hundred dollars (\$700), which sum shall be in full liquidation and payment of said Chas. W. Cook for loss through injuries received by him in the line of duty as a member of the Ohio national guard, while aiding in suppressing the riot in Cincinnati in 1884.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 10, 1890.

10G

[Senate Bill No. 21.]

AN ACT

To supplement section 3762 of the Revised Statutes of Ohio, relating to colleges and institutions of learning.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 3762 of the Revised Statutes of Ohio, with sectional numbering as follows:

Certain colleges authorized to change

Sec. 3762b. That the board of trustees of any university, college or institution of learning, incorporated by the author-

ity of this state, or under the general corporation laws thereof, for the sole purpose of promoting education, religion and morality, or the fine arts, may, at any regular or special meeting of such board of trustees, called for such purpose, after thirty days' actual notice to each and all of such trustees, change the name and enlarge the purposes and objects of any such university, college or institution of learning, by amendment to its charter, approved by a majority of such board of trustees at such regular or special meeting, so called and so notified, for the change of such name and the enlargement of the purposes and objects of such university, college or institution of learning. When such amendment is so adopted by the board of trustees of any university, college or institution of learning, already incorporated by the authority of this state, or under the general corporation laws thereof, a copy thereof, with a certificate thereto affixed, signed by the president and secretary of such board of trustees, and sealed with the corporate seal, if any there be, stating the fact and date of such amendment, and that such copy is a true copy of the original amendment, shall be filed and recorded in the office of the secretary of state, and when so filed and recorded, and not until then, said amendment shall become and be in law an integral part of the articles of incorporation of said corporation, and all the property, real and personal, the title thereto, and all the rights and credits, corporate powers and franchises, and all endowment fund or funds, gifts and bequests, legacies, mortgage securities and promissory notes, and all powers, rights and privileges of every kind belonging to, vested in, claimed or possessed by said original corporation shall, by said amendment, pass to, be assigned, transferred and vested in, and held, enjoyed and exercised by the said corporation, named, created and organized by said amendment for the promotion of all [the] objects of its creation and organization. And said new corporation shall be liable for and perform all the lawful obligations, contracts and undertakings of said original corporation. For recording such amendment and furnishing a certified copy or copies thereof, the secretary of state shall receive a fee of twenty cents per hundred words, to be in no case less than five dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 10, 1890.

11G

name and enlarge purposes by amendment to charter.

Copy of amendment to be filed in office of secretary of state.

Rights, credits, corporate powers, etc., of original corporations; how transferred.

Fee of secretary of state.

[Senate Bill No. 10.]

AN ACT

To authorize cities of the first grade of the second class to construct main trunk intercepting sewers, and to borrow money and issue bonds to pay for the same; and to repeal an act entitled "an act to authorize the city of Columbus to borrow money and issue bonds therefor, for the purpose of constructing an intercepting sewer in said city," passed March 27, 1888.

Certain cities
authorized to
construct
main trunk
intercepting
sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city councils of cities of the first grade of the second class be and they are hereby authorized and empowered to construct and maintain main trunk intercepting sewers between such points as the city councils of such cities may determine, so as to intercept the sewage from sewers already constructed, or which may hereafter be constructed, and to carry off the sewage of such cities, or any part thereof, to a proper and convenient point.

Bonds.

SECTION 2. That for the purpose of raising funds to pay for the construction of such sewers, the city councils of said cities be and they are hereby authorized and empowered to issue the bonds of such cities in an amount not exceeding five hundred thousand dollars. Said bonds shall be issued whenever said city councils may determine that they are necessary for such purpose, and in denominations of one thousand dollars each, and shall be payable twenty years from their dates. Said bonds shall be designated as main trunk intercepting sewer bonds, and shall bear such rate of interest, not exceeding five per centum per annum, payable semi-annually, as the city council of the respective cities issuing them may determine; and said bonds shall, in all respects, be made and disposed of as provided by law.

Levy of tax.

SECTION 3. That the city councils of the cities which avail themselves of the provisions of this act shall levy, annually, on all the taxable property of such cities, a tax sufficient in rate and amount to pay the accruing interest on said bonds, and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes; provided, that nothing in this act shall be so construed as in any way to effect [affect] rights already vested.

Repeal.

SECTION 4. An act entitled "an act to authorize the city of Columbus to borrow money and issue bonds therefor, for the purpose of constructing an intercepting sewer in said city," passed March 27, 1888, be and the same is hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.

12G

[Senate Bill No. 35.]

AN ACT

To authorize cities of the first grade of the second class to construct bridges or viaducts over railroads, and to borrow money and issue bonds to pay for the same; and to repeal an act entitled "an act to authorize the city of Columbus to issue bonds for the construction of a bridge across the railroad tracks from Lazelle street to Buckeye street," passed April 12, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city councils of cities of the first grade of the second class be and they are hereby authorized and empowered to construct and maintain bridges or viaducts to carry streets and other thoroughfares over and across railroads within their corporate limits.

Authorizing
certain cities
to construct
bridges and
viaducts.

SECTION 2. That for the purpose of raising funds to pay for the construction of such bridges or viaducts, and the approaches thereto, the city councils of such cities be and they are hereby authorized and empowered to issue the bonds of such cities, in an amount not exceeding one hundred and thirty thousand dollars. Said bonds shall be issued whenever said city councils may determine that they are necessary for such purposes, and in denominations of one thousand dollars each, and shall be payable in fifteen years from their date. Said bonds shall be designated as the bridge or viaduct bonds of the street which crosses such railroad or railroads, and shall bear such rate of interest, not to exceed five per centum per annum, payable semi-annually, as the city councils of the cities issuing them may determine; and said bonds shall, in all respects, be made and disposed of as provided by law.

May issue
bonds therefor

SECTION 3. That city councils of cities which avail themselves of the provisions of this act shall levy, annually, upon all the taxable property in such cities, a tax sufficient in rate and amount to pay the accruing interest on said bonds, and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

Levy of tax.

SECTION 4. That an act entitled "an act to authorize the city of Columbus to issue bonds for the construction of a bridge across the railroad tracks from Lazelle street to Buckeye street," passed April 12, 1889, be and the same is hereby repealed.

Repeal.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.

[House Bill No. 42.]

AN ACT

For the benefit of Mrs. F. W. Knapp.

Appropriation
to pay salary
F. W. Knapp.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the sum of \$647.04 be and the same is hereby appropriated and allowed to Mrs. F. W. Knapp, widow of F. W. Knapp, member-elect to this house, who died on the 7th of January, 1890; the same being the amount which would have been due the said Knapp for one year's services as member of this house; and that the same be paid from any money in the treasury not otherwise appropriated.

SECTION 2. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.

14G

[House Bill No. 71.]

AN ACT

To authorize the secretary of state to furnish the auditor of Brown county, Ohio, a complete set of weights and measures to replace those lost by fire.

Weights and
measures.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the secretary of state is hereby authorized to furnish a complete set of weights and measures to the auditor of Brown county, Ohio, for the use of said county, as provided by law, to replace those destroyed by fire in the court house of said county on the third day of December, A.D. 1888.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.

15G

[House Bill No. 103.]

AN ACT

To amend section 475 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 475 of the Revised Statutes, as amended April 13, 1888, be amended so as to read as follows :

Sec. 475. The judges of the courts of common pleas and probate court in all counties in this state, containing cities of thirty thousand inhabitants or over, by the last federal census, shall appoint two stenographic reporters, skilled in their profession, to be official stenographers of such courts, and in counties containing cities of twenty thousand inhabitants or over, and less than thirty thousand inhabitants, by the last federal census, shall appoint one stenographic reporter, and in all other counties when, in the opinion of the judge of the court of common pleas, the business requires one, who shall hold their office for the term of three years from the date of their appointment, and until their successors are appointed and qualified, unless they, or either of them, be removed by the judges for the neglect of duty, misconduct or incompetency, and where there now is or hereafter may be, a superior court in such county, the judges of such courts and of the court of common pleas and probate court in such county, shall jointly make the appointments herein provided for. Such official stenographers shall take an oath that they will faithfully discharge the duties of their office; but in counties not having cities of twenty thousand inhabitants or more, the per diem of such stenographers shall not exceed seven dollars, no part of which shall be paid out of the county treasury, except in criminal cases, but shall be taxed as other costs. And in the trial of any case in such county, whether civil or criminal, only one such per diem compensation shall be allowed to the stenographers taking the minutes of such trial. And whenever in any county, the services of one or more additional stenographers are necessary, the judges of the courts authorized by this act may appoint assistant stenographers, who shall be skilled in their profession, take a like oath, serve for such time as their services may be required by the court; and in counties containing cities of thirty thousand inhabitants or more, shall be paid at the same rate and in the same manner as the other official stenographers; but in all other counties only one per diem compensation shall be allowed, as hereinbefore provided. Provided, also, that the assistant stenographers shall not be required to keep offices in the court house, but shall file their reports in the office of the official stenographer, or in the office of the clerk of the court, as directed by the court.

Appointment
of court steno-
graphers in
certain coun-
ties.

Term, re-
moval, etc.

Compensation

SECTION 2. That said original section, as amended April 13, 1888, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.
16G

[House Bill No. 123.]

AN ACT

To amend section 4736 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4736 of the Revised Statutes be amended so as to read as follows:

Authorizing
watering
places on pub-
lic highways.

Sec. 4736. The township trustees are authorized to provide and maintain suitable watering places for procuring water for persons and animals on the public highways in their township, and the trustees of two or more townships may join in providing and maintaining such watering place where it is located on or near the township line, or on a road leading from one township into another; but not more than fifty dollars shall be expended in or by any township, in any one year, for such purpose, to be paid out of any money in the township treasury not otherwise appropriated.

SECTION 2. That said section 4736 be and the same is hereby repealed; and this act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.
17G

[House Bill No. 149.]

AN ACT

To authorize cities of the first grade of the second class to borrow money and issue bonds for the purpose of constructing main trunk sewers; and to repeal an act entitled "an act to authorize the city of Columbus to borrow money and issue bonds for sewerage purposes," passed February 19, 1889.

Certain cities
authorized to
issue bonds for
construction
of main trunk
sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city councils of cities of the first grade of the second class be and they are hereby authorized and em-

powered to issue the bonds of such cities in an amount not exceeding ninety thousand (\$90,000.00) dollars, for the purpose of paying the cost and expense of constructing main trunk sewers. Said bonds shall be issued whenever said city councils may determine that they are necessary for such purpose, and in denominations of one thousand (\$1,000.00) dollars each, and shall be payable in twenty years from their date. All of said bonds shall bear such rate of interest, not exceeding six per cent. per annum, payable annually or semi-annually, as the city councils of the respective cities issuing them may determine; and said bonds shall, in all respects, be made and disposed of as provided by law.

SECTION 2. The city councils of the cities which shall avail themselves of the provisions of this act are hereby authorized to, and shall levy, annually, on all the taxable property in such cities, a tax sufficient in rate and amount to pay the accruing interest on such bonds, and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes. Levy of tax.

SECTION 3. Permission is hereby granted to the city of Columbus to construct and maintain a sewer through the Ohio state university lands, upon such proper line as the city civil engineer of said city may designate; provided, however, that the property of the state of Ohio shall not be assessed to pay for the construction of said sewer, or any portion of it, and that no fee shall be charged such property for tapping or using said sewer. May construct through lands of the Ohio State University.

SECTION 4. That an act entitled "an act to authorize the city of Columbus to borrow money and issue bonds for sewerage purposes," passed February 19, 1889, be and the same is hereby repealed. Repeal.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.
18G

[House Bill No. 203.]

AN ACT

To authorize cities of the first grade of the second class to construct and maintain bridges across railway tracks where they cross public thoroughfares, and to issue bonds of such cities to pay for such constructions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That cities of the first grade of the second class be and they are hereby authorized and empowered to construct Authorizing certain cities to construct bridges over railroad tracks.

and maintain bridges across railway tracks where the same cross public thoroughfares in such cities.

Bonds.

SECTION 2. That for the purpose of paying for the construction of the bridges authorized by the provisions of this act, the councils of such cities be and they are hereby authorized and empowered to issue the bonds of said cities, from time to time, as necessary, for such construction, in any sum not to exceed, in the aggregate, the sum of fifty thousand dollars (\$50,000), running for a period not to exceed twenty years, as said councils may determine, and bearing an interest not to exceed $4\frac{1}{2}$ per centum per annum, payable annually.

Levy of tax.

SECTION 3. That for the purpose of paying the principal and interest of the bonds herein authorized, the councils of said cities shall levy, annually, on all the taxable property in such cities, a tax sufficient in rate and amount to pay the accruing interest on said bonds and to provide a sinking fund to pay the principal thereof at maturity, and such tax may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.
19G

[House Bill No. 234.]

AN ACT

To repeal an act entitled "an act to authorize any city of the second grade of the first class to issue bonds for the purchase of market grounds, and for the erection of market buildings," passed April 14, 1884 (O.L., vol. 81, page 185).

Repeal.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act to authorize any city of the second grade of the first class to issue bonds for the purchase of market grounds, and for the erection of market buildings," passed April 14, 1884, be and the same is hereby repealed.

SECTION 2. That this act take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.
20G

[Senate Bill No. 64.]

AN ACT

Providing for the payment of the expenses and salary of Elbert L. Lampson, contestee in the Marquis and Lampson contest for the office of lieutenant-governor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be paid Hon. Elbert L. Lampson the sum of eight hundred dollars (\$800.00) out of any funds in the treasury, not otherwise appropriated, for the purpose of defraying the costs of aforesaid Elbert L. Lampson in the contested election case of Marquis against Lampson for lieutenant-governor, and for compensation for services rendered while performing the duties of lieutenant-governor; and the auditor of state is hereby directed to draw his warrant on the treasurer of state in favor of said Lampson for said amount.

Appropriation
to pay salary
and expenses
Elbert L.
Lampson.

SECTION 2. This act shall take effect on and alter its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 13, 1890.

21G

[House Bill No. 268.]

AN ACT

To make appropriations for legislative expenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, for the purposes hereinafter specified, to-wit: For salaries of members of the general assembly, per diem of clerks, sergeants-at-arms, and employes, ten thousand dollars (\$10,000.00); contingent expenses of house of representatives, five hundred dollars (\$500.00); contingent expenses of senate, five hundred dollars (\$500.00).

Appropriation
for legislative
expenses.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 17, 1890.

23G

[House Bill No. 98.]

AN ACT

To authorize cities of the first grade of the first class to light streets, etc., by gasoline for a period of five (5) years.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the first class be and

Certain cities
authorized to

contract for
lighting
streets, alleys,
etc.

they are hereby authorized to make contracts for the period of five (5) years, to light outlying streets, alleys, lanes, bridges, highways, etc., by gasoline, and the city council and board of public affairs of said cities of the first grade of the first class be and they are hereby authorized to make such contracts, after advertising for thirty days for bids for such lighting, provided, that the foregoing provision as to advertising for bids for such lighting shall not apply to such cities where advertising for such bids has already been had.

SECTION 2. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 18, 1890.

24G

[House Bill No. 316.]

AN ACT

To authorize any village containing a population of 3,021 at the last federal census, or which may have at any subsequent census not less than 3,020, to issue bonds for the purpose of improving the streets and alleys in said town [village].

Certain vil-
lages author-
ized to issue
bonds to im-
prove streets
and alleys.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any village having at the last federal census a population of 3,021 be and it is hereby authorized to issue bonds upon its corporate credit, in such amounts as its council by ordinance may determine, not exceeding \$40,000, for the purpose of improving the streets and alleys in said village. Said bonds shall be sold at not less than par value, and shall be issued in such denominations, made to run not more than twenty years and redeemable at such times as said council shall provide, and shall bear a rate of interest not exceeding five per cent. per annum, payable semi-annually. And said council may appoint, in the ordinance providing for the issue of any such bonds, three electors of said village as trustees, who shall serve without compensation, whose duty shall be to make the contract or contracts for material for the improvement of said streets and alleys.

Council may
appoint three
trustees to con-
tract for mate-
rial.

Levy of tax.

SECTION 2. That for the purpose of paying said bonds and the interest thereon, as the same shall mature and become due, the council of such village is hereby authorized to levy annually a tax upon all the taxable property in such village, in addition to the amount already allowed to be levied by law; provided, that if said council shall provide for the collection by special assessments upon abutting or benefited property, any part of the cost of improvements of any street or alley, made with money realized from the sale of said bonds, the amount so collected by special assessments shall be applied upon the bonds and interest so issued.

Provision for
assessments
upon abutting
or benefited
property.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed February 18, 1890.

25G

[Senate Bill No. 7.]

AN ACT

To amend section 561 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 561 of the Revised Statutes be and the same is hereby amended so that it shall read as follows, viz:

Sec. 561. In any county in which there is a law college, or a college or university having a department of law, duly organized, with a course of study wholly devoted to the law, extending through two academic years or more, the supreme court may (if in its opinion the character of the course of study and the number of the graduating class shall warrant it) appoint a committee of not less than three nor more than seven attorneys at law to attend the commencement exercises of such college next after their appointment, and examine the graduating class of such college or department in regard to their qualifications to practice law; and upon the report of such committee, the court may admit to practice as attorneys and counselors at law, those members of such graduating class who may be recommended by said committee and found by the court to be qualified; provided, that the presiding officer of such college or department shall certify that such graduating students have completed the course of law study hereinbefore mentioned and are persons of good moral character; and provided, further, that such applicant students shall furnish satisfactory evidence of fulfilling the conditions in the preceding section prescribed as to age, residence, and citizenship, in [or] declaration of intention to become a citizen.

Supreme court may appoint committee to examine graduates of law college.

How and when graduates may be admitted to practice.

SECTION 2. Said original section 561 of the Revised Statutes is hereby repealed.

SECTION 3. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed February 19, 1890.

26G

[Senate Bill No. 22.]

AN ACT

To amend section 850 of the Revised Statutes of Ohio, as amended May 1, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 850 of the Revised Statutes of Ohio, as amended May 1, 1885, be amended to read as follows:

Clerk of board of county commissioners shall keep record of proceedings; index thereof; record of yeas and nays, etc.

Sec. 850. The clerk shall keep a full and complete record of the proceedings of the board, and a general index thereof, in a suitable book provided for that purpose, entering every motion with the name of the person making the same on the record, and he shall call and record the yeas and nays on every motion which involves the levying of taxes or the ap[ro]p[ri]ation or payment of money; he shall state fully and clearly in the record any question relating to the power and duties of the board which is raised for its consideration by any person having an interest therein, together with the decision upon the same, and shall call and record the yeas and nays by which said decision was arrived at; and shall record, when requested by the parties interested in the proceedings, or by either of them, or by their counsel, any legal propositions decided by the board, together with the decisions thereon and the votes by which the decision was reached; and if either party, in person or by counsel, except to said decision, the clerk of the board shall record such exceptions in connection with the record of the decision. Immediately upon the opening of each day's session of the board, the complete records of the proceedings of the session of the previous day shall be read by the clerk and, if the same be found correct, approved and signed by the commissioners. The record book of the board of county commissioners shall be kept, when the board is not in session, in the auditor's office, and open to public inspection at all proper times; it shall be duly certified by the president and clerk, and shall be received as evidence in every court in the state; and in counties where no index has been made of such record, the commissioners thereof are hereby authorized to cause an index to be made of such past records for such period of time subsequent to the first day of January, A. D. 1880, as the judgment of the county commissioners may determine; and the clerk shall receive for indexing, provided for in this section, such compensation as is provided for like services in other cases.

Proceedings shall be read, approved and signed; where kept when board not in session.

When record shall be received as evidence; commissioners authorized to cause index to be made; fees of clerk, etc.

SECTION 2. That section 850 of the Revised Statutes, as amended May 1, 1885, be and the same is hereby repealed; and that this act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 19, 1890.

[Senate Bill No. 33.]

AN ACT

To amend section 1080 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1080 of the Revised Statutes of Ohio be amended so as to read as follows:

Sec. 1080. The treasurer, previous to entering on the duties of his office, shall give bond, with four or more freehold securities, to the acceptance of the county commissioners, and in such sum as the commissioners direct, payable to the state, and conditioned for [the] paying over, according to law, all moneys which come into his hands for state, county, township, or other purposes; which bond, with the oath of office and approval of the commissioners indorsed thereon, shall be deposited with the auditor of the county, and be by him carefully preserved; and said bond shall be made a part of the record of the proceedings of the commissioners, of the day when accepted and approved by said commissioners and entered in full thereon.

Bond and oath
of county
treasurer.

Where depos-
ited; made
part of record
of proceedings
of county com-
missioners.

SECTION 2. Said original section 1030 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 19, 1890.

28G

[House Bill No. 165.]

AN ACT

To authorize the governor of Ohio to execute a deed to I. H. Lynch for certain lands herein described.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of the state of Ohio is hereby authorized and required to execute and deliver to I. H. Lynch, of Darke county, Ohio, a deed for the south half of the east half of the north-east quarter of section sixteen (16), township fourteen (14), of range two (2) east (the said tract being situated in said Darke county, Ohio); that said deed shall be executed in all respects not herein provided, in conformity with the provisions of section 4115 of the Revised Statutes of Ohio.

Governor au-
thorized to
execute deed
to I. H. Lynch.

SECTION 2. This act shall be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 19, 1890.

29G

[House Bill No. 191.]

AN ACT

To authorize the city council of any city of the third grade of the second class, having at the last federal census, or which at any subsequent federal census may have, a population of 18,113, to issue bonds for developing natural gas and oil, and for general improvements and benefit of said city.

Certain cities authorized to borrow money for developing natural gas and oil, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the third grade of the second class, having at the last federal census, or which may have at any subsequent federal census, a population of 18,113, be and are hereby authorized to borrow not to exceed forty thousand dollars, to be applied for the purpose of sinking wells for the development of natural gas and oil in or near any such city, and for the general improvement and benefit of such city, and for such other purposes as the city council may see fit and deem proper or expedient.

Issue of bonds; denomination; rate of interest, etc.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the said city council of any such city is authorized to issue bonds in the denomination of not less than five hundred dollars and not more than one thousand dollars each, bearing interest at a rate not to exceed six per cent. per annum, payable annually, and to be designated as "Natural gas and improvement bonds," and to be signed by the mayor and countersigned by the city clerk of such city; said bonds to be payable at such time or times, not exceeding fifteen years from their respective dates thereof, as such city council may determine, which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission.

Levy of tax.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, such city council is hereby authorized and empowered to levy on all the taxable property of such city a tax for such an amount annually, not exceeding one mill above the maximum authorized by the general law, which levy shall be placed on the duplicate by the auditor of said county and collected as other taxes.

Council to appoint five trustees; their duty.

SECTION 4. The city council of such city is hereby authorized to appoint five trustees, whose duty it shall be to take charge of the proceeds of said sales of said bonds herein authorized, and to contract and pay for the sinking of an experimental well or wells for the developing of natural gas and oil in or near such city, with such person or persons as they deem proper, and for such other purposes of improvement and benefit of such city as may be by the city council of such city directed; and no more than three of the said trustees shall be of the same political party.

Question of issuing bonds to be submitted to vote at special election.

SECTION 5. Before such bonds or any of them shall be issued by any such city, and before any such levy shall be made, the question of issuing said bonds shall be submitted to a vote of the qualified electors of such city, at a special election to be held for that purpose, the time of which shall

be designated by the city council of such city, and shall be so designated at least ten days before such time so designated, and the mayor of such city shall cause public notice of the submission of said question to be published in at least three newspapers published and of general circulation in such city at least eight days before such election. And said election shall be held and returns thereof made, in all respects not otherwise herein provided, as municipal elections are now required by law to be held and returned in cities of the third grade of the second class. The tickets voted at any such election shall have written or printed thereon the words, "Authority to issue natural gas and improvement bonds—Yes;" or, "Authority to issue natural gas and improvement bonds—No;" and if the proposition to issue said bonds be approved by two-thirds of those voting upon the proposition, the city council of such city shall have authority to issue such bonds for the purposes hereinbefore provided.

Notice and
conduct of
election.

SECTION 6. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 19, 1890.
30G

[Senate Bill No. 49.]

AN ACT

To purchase and furnish to land department of auditor's office and to office of school commissioner a set each of Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the secretary of state is hereby authorized to purchase and furnish to the land department in the auditor of state's office, and to the commissioner of common schools, one set each of Giaueque's Revised Statutes of Ohio, and that sufficient funds are hereby appropriated out of the general revenue fund, not otherwise appropriated, to pay for the same.

Secretary of
state author-
ized to pur-
chase Revised
Statutes.

SECTION 2. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 19, 1890.
31G

[Senate Bill No. 30.]

AN ACT

To authorize and direct the governor of the state of Ohio to convey by deed to J. R. Allen a tract of land in section number 16, township number 10, range number 16, in Vinton county, Ohio.

WHEREAS, J. R. Allen, the assignee of the purchasers of Preamble.

Preamble.

the following tract of land, situate in Vinton county, Ohio, to-wit: The west half of the south-east quarter of section number sixteen (16), township number ten (10), range number sixteen (16), of said county, containing eighty (80) acres more or less, and his assignors, under a certificate of purchase, have already paid into the state treasury, as principal, the sum of \$869.96 and the sum of \$651.14 interest, making an aggregate sum of \$1,521.10; said sum of \$869.96 being far above the true value of said land; and

WHEREAS, A majority of the freeholders of said township, known as Madison township, of said county, have petitioned the general assembly of the state of Ohio, asking that the governor be authorized to convey said premises to said J. R. Allen; therefore,

Governor authorized to execute deed to J. R. Allen.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of Ohio be and he is hereby authorized and directed, on demand, to execute and deliver to said J. R. Allen a deed of conveyance in fee simple for the premises herein described.

SECTION 2. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 19, 1890.

32G

[Senate Bill No. 54.]

AN ACT

To authorize the council of any village within the state which at the last federal census had, or at any federal census may have, a population of 1,274, to issue bonds for the purpose of completing and furnishing a town hall.

Certain villages authorized to issue bonds to complete and furnish town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village within the state which at the last federal census had, or at any subsequent federal census may have, a population of 1,274, is hereby authorized to issue the bonds of said village not to exceed four thousand dollars, and bearing a rate of interest not exceeding six per cent. per annum, payable semi-annually, and to run not more than twenty-five years, and to be of denominations not less than one hundred dollars, for the purpose of raising money with which to complete and furnish any town hall which may have been heretofore begun; and the council shall have power to levy taxes on all the taxable property within said village for the purpose of paying said bonds and the interest thereon.

Levy of tax.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 19, 1890.
 33G

[Senate Bill No. 68.]

AN ACT

For the benefit of Mrs. T. Q. Ashburn.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the sum of six hundred dollars be and the same is hereby appropriated and allowed to Mrs. T. Q. Ashburn, widow of Hon. T. Q. Ashburn, the late member of the senate, who died on the 17th day of January, 1890, the same being the amount which would have been due the said Hon. T. Q. Ashburn, for one year's services as member of this senate, and that the same be paid from any money in the treasury not otherwise appropriated.

Appropriation
 for benefit of
 Mrs. T. Q. Ash-
 burn.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 19, 1890.
 34G

[House Bill No. 227.]

AN ACT

To authorize the council of any city which at the last federal census had, or which at any future federal census may have, a population not less than 12 250, nor greater than 12,260, to issue and sell bonds to construct a storm water sewer system.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*. That the council of any city which at the last federal census [had], or which at any future federal census may have, a population not less than twelve thousand two hundred and fifty, nor greater than twelve thousand two hundred and sixty, be and it is hereby authorized to issue and sell the bonds of any such city, at such time or times as it may deem necessary, to the amount of ninety-four thousand dollars, for the purpose of constructing such a sewer system for the disposal of storm water as the council may deem proper. Said bonds shall not be sold for less than par, shall bear interest not exceeding six per centum per annum, payable semi-annually, and shall be of denominations of not less than one thousand dollars each, and be payable at such time or times as the council may prescribe, provided that they shall

Certain cities
 authorized to
 issue bonds to
 construct
 storm water
 sewer system.

Rate of inter-
 est; denomina-
 tion of bonds,
 etc.

not be payable in less than five years nor more than fifteen years from their dates of issue.

Disposition of surplus.

SECTION 2. If there be any balance from the proceeds of the sale of any of said bonds, over and above what is necessary for the purposes set forth in section one of this act, the same shall be paid over into the sewer fund of said city and shall be used for such sewer purposes as the council may, from time to time, direct.

Levy of tax.

SECTION 3. For the purpose of paying said bonds, and the interest thereon, as the same may become due, the council of said city is hereby authorized to levy a tax, not exceeding one mill per annum, upon all the taxable property, both real and personal of said city, in addition to the amount otherwise allowed by law, to be collected as other taxes; and the money so collected shall be used for the payment of said bonds and the interest thereon, and shall not be used for any other purpose.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 20, 1890.

35G

[House Bill No. 378.]

AN ACT

To authorize any city of the second class, containing a population of four thousand and four hundred at the last federal census, or that by any subsequent federal census may have such population, to issue bonds for the purpose of improving the streets and alleys and constructing sewers in such city.

Certain cities authorized to issue bonds to improve streets and alleys and construct sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the second class, containing a population of four thousand and four hundred (4,400) at the last federal census, or that by any subsequent federal census may have such population, be and it is hereby authorized to issue bonds upon its corporate credit, in such amounts as its council by ordinance, as hereinafter provided, may determine, not exceeding forty thousand dollars (\$40,000), for the purpose of improving the streets and alleys and constructing sewers in such cities.

Bonds.

SECTION 2. Said bonds shall be issued in such amounts and at such times as said council may order, as hereinafter provided.

How to be sold; denomination; term; rate of interest.

SECTION 3. Said bonds shall be sold at not less than par value, and shall be issued in such denominations, made to run not more than twenty years, and redeemable at such times, as said council shall provide, and shall bear a rate of interest not exceeding five (5) per centum per annum, interest payable semi-annually.

SECTION 4. Before said bonds or any part thereof are

issued, the [city] council shall appoint five electors of said [city] as trustees, who shall serve without compensation, said appointments to be made from the names of persons presented by the board of trade of such city to said council to serve as such trustees; and it shall be the duty of said trustees to make report in writing to said council of the needs of said city, and the amount required in bonds, in the matter of improving the streets and alleys and constructing sewers, at such times as to them may seem desirable and necessary, whereupon the said council shall pass the necessary ordinance or ordinances providing for the bonds required, and issue the same in accordance with the provisions of this act; and it shall be the further duty of said trustees to make the contract or contracts for material and to otherwise arrange and provide for the improvement of said streets and alleys and construction of sewers; and the said council shall have no power to issue the bonds provided for by this act, or any part thereof, without the written recommendation of said trustees.

Trustees: how
appointed;
duty, etc.

SECTION 5. That for the purpose of paying said bonds and the interest thereon, as the same shall mature and become due, the council of said city is hereby authorized to levy annually a tax, not to exceed two mills on the dollar, upon all the taxable property in such city in addition to the amount already allowed to be levied by law.

Levy of tax.

SECTION 6. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 21, 1890.

36G

[House Bill No. 155.]

AN ACT

To amend section two (2) of an act entitled "an act to provide for the publication and distribution of the roster of Ohio soldiers," passed May 12, 1886, and amended February 3, 1887, and re-amended February 20, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two (2) of the above mentioned act be so amended as to read as follows:

Sec. 2. The distribution of said volumes shall be under the direction of the adjutant-general, and shall be as follows: To each member of the sixty-seventh (67) and sixty-eighth (68) general assembly, 20 copies of each volume, inclusive of copies already received; and each member of the (69) sixty-ninth general assembly, seven (7) copies of each volume; but when any member of the sixty-seventh (67) or sixty-eighth (68) general assembly dies or becomes a non-resident of the county or district he represented, the said copies of each volume may be drawn by his successors; to the roster commission, twenty-five (25) copies of each volume; to the adju-

Distribution
of roster of
Ohio soldiers.

tant-general, for distribution to the adjutant-general of each state and territory, and proper officials of the war department at Washington, D. C., sixty (60) copies of each volume; to each of the state officers of Ohio, and to each of the various state departments and institutions, one (1) copy of each volume; to the state library, fifty copies of each volume for exchanges, and ten copies of each volume to be retained permanently therein; to each public library of an incorporated city or village of the state, one copy of each volume; to each post of the grand army of the republic, and to each command or the union veterans' union, on condition that if the post, camp or command be disbanded at any time, the same shall be returned to the state library, one copy of each volume; and to the department of Ohio grand army of the republic, and loyal legions, each one copy of each volume; and to each camp of the sons of veterans, on condition that if the camp be disbanded at any time the same shall be returned to the state library, one copy of each volume; to each county recorder, to be by him kept in his office, and transferred to his successor as other public records, one copy of each volume; to each township clerk, to be by him kept in his office and to be transferred to his successor, one copy of each volume; to each clerk in roster department, one copy of each volume; provided, that any distribution herein provided for shall be inclusive of copies of volumes already distributed under former laws; the remainder of said copies after such distribution, shall be placed on sale by the adjutant general, at a price not exceeding one dollar per volume; he shall keep a record of such sales, and shall, at the end of each quarter of the fiscal year, pay into the state treasury, the sum received, until all of said volumes are sold, unless otherwise directed by the general assembly; provided, that he shall not sell more than one copy of each of the said volumes to the same person.

Volumes to be
sold by adju-
tant-general.

SECTION 2. That section two (2) of said act, passed May 12, 1886 (83 v. 146), as amended February 3, 1887, and re-amended February 20, 1888, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 25, 1890.

37G

[House Bill No. 168.]

AN ACT

Making partial appropriations for the last three-quarters of the fiscal year ending November 15, 1890, and the first quarter of the fiscal year ending February 15, 1891.

Making partial
appropriations
for state de-
partments and
institutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the treasury to the credit of the general revenue

fund not otherwise appropriated, the following sums, for the purposes hereinafter specified, to-wit:

Making partial appropriations for state departments and institutions.

Adjutant General's Department:

Salary of adjutant-general, two thousand dollars (\$2,000).
 Salary of assistant adjutant-general, fifteen hundred dollars (\$1,500).
 Salary of chief clerk, fourteen hundred dollars (\$1,400).
 Salary of assistant clerk, two hundred dollars (\$200).
 Salary of four transcribing clerks, twelve hundred dollars (\$1,200).
 Salary of superintendent of state arsenal, ordnance clerk and book keeper, twelve hundred dollars (\$1,200).
 Contingent expenses and inspection, four hundred dollars (\$400).
 Care of military stores and freight on arms, three hundred dollars (\$300).
 For expense of shipping roster of Ohio troops, two hundred dollars (\$200).

State House and Grounds:

Salary of superintendent of laborers, nine hundred dollars (\$900).
 Salary of one engineer, one thousand dollars (\$1,000).
 Salary of two firemen, five hundred dollars (\$500).
 Salary of janitor of flag-room, seven hundred and twenty dollars (\$720).
 Salary of visitors' attendant, seven hundred and twenty dollars (\$720).
 Salary of day policeman, seven hundred and twenty dollars (\$720).
 Salary of night policeman, eight hundred dollars (\$800).
 Salary of four regular laborers, six hundred dollars (\$600).
 Extra labor, five hundred dollars (\$500).
 Material and repairs, five hundred dollars (\$500).
 Fuel for state house, five hundred dollars (\$500).
 Water rent, one thousand dollars (\$1,000).
 Care and repair of heating apparatus, three hundred dollars (\$300).

Agriculture:

Contingent expenses of board, two hundred dollars (\$200).
 For the encouragement of agriculture, fifteen hundred dollars (\$1,500).

Attorney-General:

Salary of attorney-general, fifteen hundred dollars (\$1,500).
 Salary of clerk, one thousand dollars (\$1,000).
 Contingent expenses, two hundred dollars (\$200).
 Fees on collections, five hundred dollars (\$500).
 For exchange of type writer, forty dollars (\$40).

Auditor of State:

Salary of auditor, three thousand dollars (\$3,000).
 Salary of chief clerk, two thousand dollars (\$2,000).

Making partial
appropriation
for state de-
partments and
institutions.

Salary of book-keeper, sixteen hundred dollars (\$1,600).
Salary of railroad and bank clerk, fifteen hundred dol-
lars (\$1,500).
Salary of land clerk, fifteen hundred dollars (\$1,500).
Salary of canal and trust fund clerk, fourteen hundred
dollars (\$1,400).
Salary of statistical clerk, twelve hundred dollars (\$1,200).
Salary of stenographer, eight hundred dollars (\$800).
Contingent expenses, five hundred dollars (\$500).

Board of Health:

General expenses of board, one thousand dollars (\$1,000).

Board of Pardons:

Expenses of board, two hundred dollars (\$200).
Salary of secretary, three hundred dollars (\$300).

Board of Public Works:

Salaries of members, twenty-four hundred dollars (\$2,400).
Salaries of engineers, thirty-six hundred dollars (\$3,600).

Board of State Charities:

Expenses of board, six hundred dollars (\$600).

Commissioner of Common Schools:

Salary of commissioner, two thousand dollars (\$2,000).
Traveling expenses of commissioner, two hundred dol-
lars (\$200).
Salary of chief clerk, seventeen hundred and fifty dollars
(\$1,750).
Salary of second clerk, twelve hundred dollars (\$1,200).
Contingent expenses, one hundred and fifty dollars (\$150).
Boxing and shipping reports, one hundred dollars (\$100).

Commissioner of Railroads and Telegraphs:

Salary of commissioner, two thousand dollars (\$2,000).
Salary of chief clerk, twelve hundred dollars (\$1,200).
Salary of assistant clerk, one thousand dollars (\$1,000).
Experts to examine bridges, two hundred dollars (\$200).
Contingent expenses, one hundred dollars (\$100).
Expenses outside of office, one hundred dollars (\$100).

Commissioner of Statistics of Labor:

Salary of commissioner, two thousand dollars (\$2,000).
Clerk hire, five hundred dollars (\$500).
Contingent expenses, four hundred dollars (\$400).
Traveling expenses, one hundred dollars (\$100).

Executive Department:

Salary of governor, eight thousand dollars (\$8,000).
Salary of private secretary, eight hundred dollars (\$800).
Salary of executive clerk, fifteen hundred dollars (\$1,500).
Salary of assistant executive clerk, twelve hundred dol-
lars (\$1,200).

Contingent expenses, clerk hire, and newspapers, five hundred dollars (\$500).

Salary of lieutenant-governor, eight hundred dollars (\$800).

Making partial appropriations for state departments and institutions.

Inspector of Mines:

Salary of chief inspector, two thousand dollars (\$2,000).

Salaries of district inspectors, six thousand dollars (\$6,000).

Contingent expenses of mine inspectors, one thousand dollars (\$1,000).

Clerk hire, two hundred dollars (\$200).

Inspector of Workshops and Factories:

Salary of chief inspector, fifteen hundred dollars (\$1,500).

Salaries of district inspectors, three thousand dollars (\$3,000).

Traveling expenses of chief inspector, two hundred dollars (\$200).

Traveling expenses of district inspectors, five hundred dollars (\$500).

Contingent expenses, three hundred dollars (\$300).

Clerk hire, three hundred dollars (\$300).

Judiciary:

Salaries of supreme, circuit, superior, and common pleas judges, three hundred and five thousand dollars (\$305,000).

Law Library:

Salary of law librarian, fifteen hundred dollars (\$1,500).

Salary of assistant law librarian, one thousand dollars (\$1,000).

Contingent expenses, two hundred dollars (\$200).

Books for law library, four hundred dollars (\$400).

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes, fifty thousand dollars (\$50,000).

Expenses of legislative committees, five hundred dollars (\$500).

Ohio Dairy and Food Commissioners:

Salary of commissioner, fifteen hundred dollars (\$1,500).

Expenses of commissioner, one hundred and fifty dollars (\$150).

Salaries of assistant commissioners, two thousand dollars (\$2,000).

Expenses of assistant commissioners, three hundred dollars (\$300).

Compensation of state chemists, two hundred dollars (\$200).

Ohio Penitentiary:

Per diem of managers, five thousand dollars (\$5,000).

Making partial appropriations for state departments and institutions.

Salaries of officers, six thousand dollars (\$6,000).
 Salaries of guards, twenty thousand dollars (\$20,000).
 Current expenses, thirty thousand dollars (\$30,000).
 Manufacture of gas, four thousand dollars (\$4,000).
 Expenses attending executions, five hundred dollars (\$500).
 Ordinary repairs, two thousand dollars (\$2,000).
 Rewards to discharged convicts, five thousand dollars (\$5,000).
 Prosecution and transportation of convicts, twenty-five thousand dollars (\$25,000).

Secretary of State:

Salary of secretary of state, two thousand dollars (\$2,000).
 Salary of chief clerk, two thousand dollars (\$2,000).
 Salary of statistical clerk, fifteen hundred dollars (\$1,500).
 Salary of stationery clerk, thirteen hundred and fifty dollars (\$1,350).
 Salary of recording clerk, thirteen hundred and fifty dollars (\$1,350).
 Salary of corporation clerk, thirteen hundred and fifty dollars (\$1,350).
 Salary of superintendent of book-room, eight hundred dollars (\$800).
 Stationery, three thousand dollars (\$3,000).
 Distribution of books, four hundred dollars (\$400).
 Printing paper, ten thousand dollars (\$10,000).
 Extra clerk hire, [four hundred dollars] (\$400).

State Library:

Salary of state librarian, fifteen hundred dollars (\$1,500).
 Salary of assistant librarian, twelve hundred dollars (\$1,200).
 Salary of janitor, four hundred and eighty dollars (\$480).
 Books, magazines and papers, five hundred dollars (\$500).
 Contingent expenses, one hundred dollars (\$100).

Superintendent of Insurance:

Salary of superintendent, two thousand dollars (\$2,000).
 Salary of chief clerk, eighteen hundred dollars (\$1,800).
 Salary of examining clerk, fifteen hundred dollars (\$1,500).
 Salary of book-keeper, twelve hundred dollars (\$1,200).
 Salary of corresponding clerk, one thousand dollars (\$1,000).
 Salary of mailing clerk, eight hundred dollars (\$800).
 Salary of extra clerks, five hundred dollars (\$500).
 Contingent expenses, four hundred dollars (\$400).

Supervisor of Public Printing:

Salary of supervisor, eighteen hundred dollars (\$1,800).
 State binding, eight thousand dollars (\$8,000).
 State printing, eight thousand dollars (\$8,000).
 Contingent expenses, one hundred dollars (\$100).

Supreme Court:

Contingent expenses, three hundred dollars (\$300).
 Salary of janitor, eight hundred dollars (\$800).

Making partial
 appropriations
 for state de-
 partments and
 institutions.

Clerk of Supreme Court:

Salary of the clerk of supreme court, fifteen hundred dol-
 lars (\$1,500).
 Salary of deputy clerk, twelve hundred dollars (\$1,200).
 For extra clerk hire, two hundred dollars (\$200).
 Contingent expenses, [one hundred dollars] (\$100).

Reporter of Supreme Court:

Salary of reporter, one thousand dollars (\$1,000).
 Contingent expenses, one hundred dollars (\$100).

Treasurer of State:

Salary of treasurer, three thousand dollars (\$3,000).
 Salary of cashier, two thousand dollars (\$2,000).
 Salaries of two book-keepers, twenty-seven hundred dol-
 lars (\$2,700).
 Salary of messenger and janitor, six hundred dollars
 (\$600).
 Salary of two night watchmen, sixteen hundred dollars
 (\$1,600).
 Collecting auditor of state's drafts, five hundred dollars
 (\$500).

Athens Asylum for the Insane:

Current expenses, twenty-five thousand dollars (\$25,000).
 Ordinary repairs, twelve hundred dollars (\$1,200).
 Salaries of officers, fifteen hundred dollars (\$1,500).

Cleveland Asylum for the Insane:

Current expenses, twenty-five thousand dollars (\$25,000).
 Salaries of officers, twelve hundred dollars (\$1,200).
 Ordinary repairs, one thousand dollars (\$1,000).

Columbus Asylum for the Insane:

Current expenses, twenty-five thousand dollars (\$25,000).
 Salaries of officers, fifteen hundred dollars (\$1,500).
 Ordinary repairs, fifteen hundred dollars (\$1,500).

Dayton Asylum for the Insane:

Current expenses, twenty thousand dollars (\$20,000).
 Salaries of officers, thirteen hundred dollars (\$1,300).
 Ordinary repairs, one thousand dollars (\$1,000).

Toledo Asylum for the Insane:

Current expenses, twenty-five thousand dollars (\$25,000).
 Salaries of officers, fifteen hundred dollars (\$1,500).
 Ordinary repairs, one thousand dollars (\$1,000).

Making partial appropriations for state departments and institutions.

Longview Asylum for the Insane:

Current expenses, twenty-five thousand dollars, to be paid out in—This sum is for the support of the insane in said institution, and shall be paid into the county treasury of Hamilton county, monthly, as may be necessary in payment of the current expenses of said institution. Requisitions shall be made by the directors of said asylum upon the auditor of Hamilton county, and copies thereof furnished to the auditor of state, whereupon he shall issue his warrant upon the state treasurer in favor of the treasurer of Hamilton county for such amounts (\$25,000).

Boys' Industrial School:

Current expenses, seven thousand dollars (\$7,000).
Salaries of officers and teachers, five thousand dollars (\$5,000).
Expenses of trustees, one hundred dollars (\$100).
Ordinary repairs, five hundred dollars (\$500).

Girls' Industrial Home:

Current expenses, five thousand dollars (\$5,000).
Salaries of officers and teachers, four thousand five hundred dollars (\$4,500).
Expenses of trustees, two hundred dollars (\$200).

Ohio Institution for the Blind:

Current expenses, eight thousand dollars (\$8,000).
Salaries of officers and teachers, three thousand dollars (\$3,000).
Ordinary repairs, four hundred dollars (\$400).

Institution for the Deaf and Dumb:

Current expenses, ten thousand dollars (\$10,000).
Salaries of officers and teachers, five thousand dollars (\$5,000).
Ordinary repairs, one thousand dollars (\$1,000).
Salary of foreman of carpenter shop, five hundred dollars (\$500).
Salary of foreman of shoe shop, seven hundred dollars (\$700).
Salary of foreman of printing office, five hundred dollars (\$500).
Salary of foreman of tailor shop, seven hundred dollars (\$700).
Supplies for carpenter shop, one hundred dollars (\$100).
Supplies for printing office, one hundred dollars (\$100).
Supplies for tailor shop, two hundred dollars (\$200).
Supplies for shoe shop, two hundred dollars (\$200).
Lumber and nails for state boxes, two hundred dollars (\$200).

Institution for Feeble-Minded Youth:

Current expenses, twenty thousand dollars (\$20,000).
Ordinary repairs, one thousand dollars (\$1,000).

Salaries of officers and teachers, three thousand dollars (\$3,000).

Expenses of trustees, one hundred dollars (\$100).

Making partial appropriations for state departments and institutions.

Ohio Soldiers' and Sailors' Home:

Current expenses, fifteen thousand dollars (\$15,000).

Officers' salaries, three thousand dollars (\$3,000).

Expenses of members of board, two hundred dollars (\$200).

Ordinary repairs, five hundred dollars (\$500).

For clothing, five thousand dollars (\$5,000).

For improvements of grounds, one thousand dollars (\$1,000).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, twenty thousand dollars (\$20,000).

Salaries of officers and teachers, four thousand dollars (\$4,000).

Expenses of trustees, one hundred dollars (\$100).

Salaries of foremen of industrial pursuits, fifteen hundred dollars (\$1,500).

Ordinary repairs, one thousand dollars (\$1,000).

Ohio State University:

Furnishing and equipping laboratory, twenty thousand dollars (\$20,000).

Salaries, ten thousand dollars (\$10,000).

Grading and paving, five hundred dollars (\$500).

SECTION 2. The moneys appropriated in the last preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1890, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. No bills for clerk hire, for furniture or carpets, or for newspapers shall be paid out of appropriations made for contingent expenses; no bills for horses or cows, carriages or wagons, carpets or furniture or any expenses for officers attending state, inter-state or national associations of benevolent institutions shall be paid out of appropriations made for the current expenses of said institution; and no money herein appropriated shall be drawn, except on a requisition on the auditor of state, approved by the head of each department, or the trustees of the institution, which shall set forth the service rendered or material furnished and the date of purchase and the time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 25, 1890.

[House Bill No. 235.]

AN ACT

To amend section 127 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 127 of the Revised Statutes be so amended as to read as follows:

Bond of secretary of state.

Sec. 127. The secretary of state, before entering upon the duties of his office, shall execute a bond to the state in the sum of one hundred thousand dollars, with two or more sureties, to be approved by the governor, auditor of state and attorney-general, conditioned for the faithful discharge of the duties imposed upon him by law; this bond, with his official oath indorsed thereon, shall be delivered to the auditor of state, and be kept in his office.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 27, 1890.

39G

[House Bill No. 7.]

AN ACT

To amend section 1694 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1694 of the Revised Statutes be amended to read as follows:

By-laws, ordinances, etc., shall be read on three days, unless, etc.

Subject and amendment of by-laws, etc.

Sec. 1694. By-laws, resolutions, and ordinances of a general or permanent nature, including those for the issuing of bonds, shall be fully and distinctly read on three different days, unless three-fourths of the members elected dispense with the rule; and the vote on such suspension shall be taken by yeas and nays, and entered on the journal. No by-law or ordinance shall contain more than one subject, which shall be clearly expressed in its title; and no by-law or ordinance, or section thereof, shall be revised or amended, unless the new by-law or ordinance contain the entire by-law or ordinance, or section, revised or amended; and the by-law or ordinance, section or sections, so amended, shall be repealed.

SECTION 2. That said original section 1694 be and the same is hereby repealed; and this act shall take effect from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 28, 1890.

40G

[House Bill No. 135.]

AN ACT

To authorize municipal corporations having a population, at the last federal census, of not less than one thousand three hundred and sixty-three (1,363), and not more than one thousand three hundred and sixty-five (1,365), to issue bonds for the purpose of sinking wells for natural gas or oil for the use of such corporations and the citizens thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any municipal corporation which, at the last federal census, had a population of not less than one thousand three hundred and sixty-three (1,363), nor more than one thousand three hundred and sixty-five (1,365), is hereby authorized and empowered to issue its bonds for an amount not exceeding thirty-five hundred dollars, for the purpose of sinking wells for natural gas or oil, laying necessary mains and service pipes therefor, and constructing the necessary buildings, fixtures and appliances to supply such municipal corporation and the citizens thereof with natural gas or oil for public and private use and consumption.

Certain municipal corporations authorized to issue bonds for natural gas, etc.

SECTION 2. That said bonds shall be issued in such sums as the council may by ordinance determine, shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and the principal thereof shall be payable at such place and at such times as the council shall by ordinance prescribe, but the time of payment thereof shall not exceed five years from date of issue.

How bonds issued; rate of interest; when payable, etc.

SECTION 3. Such bonds shall not be sold for less than their face value and accrued interest, shall be signed by the mayor and countersigned by the clerk of such municipal corporation, and such clerk shall keep a record of the number, date and amount of each bond.

How bonds sold; duty of mayor and clerk.

SECTION 4. The council of such municipal corporation is hereby authorized and empowered to levy such tax, annually, on all the taxable property in said corporation, in addition to the tax now authorized by law, as shall be each year sufficient to pay the principal and interest of the bonds falling due, but no tax levied by virtue of this act shall exceed the sum of two mills in each year.

Levy of tax.

SECTION 5. The council of said corporation shall, before issuing such bonds, submit the question to a vote of the qualified electors of such corporation at any special or general election, of which ten days' notice shall be given by printed notice in a newspaper published in said corporation, which notice shall state the amount of bonds to be issued, the purpose of the same, and the time and place of holding the election, and also by posting written or printed notices in not less than six conspicuous places in said corporation.

Question of issue shall be submitted to vote; notice of election.

SECTION 6. Those electors voting, at said election, in favor of issuing said bonds, shall have written or printed on their ballots the words "Gas bonds—Yes;" and those voting against the issue of said bonds shall have written or printed on their ballots the words "Gas bonds—No;" and if two-

Form of ballot

thirds of the votes cast on said question, at said election, are in favor of issuing said bonds, then the council shall have authority to issue the same as provided in this act, and not otherwise.

SECTION 7. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 28, 1890.

41G

[House Bill No. 184.]

AN ACT

To erect and maintain watering troughs in the public highways.

Abatement of
 tax of con-
 structor of wat-
 ering trough,
 etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of the several townships in this state, shall annually abate three dollars from the highway tax of any inhabitant of a road district, who shall construct on his own land, and keep in repair, a watering trough beside the public highway, well supplied with fresh water, the surface of which shall be two or more feet above the level of the ground, and easily accessible for horses with vehicles, but the said trustees respectively may designate the number necessary for the public convenience in each road district, and no other than those designated shall be allowed this abatement of tax.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 28, 1890.

42G

[House Bill No. 256.]

AN ACT

Making appropriations to pay the principal and interest on [the] public debt, and interest on the irreducible debt, and expenses of the sinking fund commissioners.

Appropriations to pay principal and interest on funded and irreducible debt expenses of sinking fund commissioners etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury, belonging to the sinking fund, the following sums for the purposes herein named:

For payment of the principal of the funded debt, due July 1. 1890, two hundred and fifty thousand dollars (\$250,000.00).

For payment of interest on the funded debt, eighty-three thousand seven hundred dollars (\$83,700.00), or so much thereof as may be necessary to pay the interest falling due July 1, 1890, and January 1, 1891.

For the interest on the irreducible debt of the state, which constitutes the school, ministerial indemnity fund, Ohio university and Ohio state university, two hundred seventy-three thousand four hundred forty-seven dollars and fifty-three cents (\$273,447.53), or so much as may be necessary to pay said interest.

For payment of the expenses of the commissioners of the sinking fund, including salary of clerk, fifteen hundred dollars (\$1,500.00).

For New York exchange used in payment of matured bonds and interest, and for other expenses in making such payment, three hundred dollars (\$300.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 28, 1890.

43G

[Senate Bill No. 27.]

AN ACT

To supplement an act entitled "an act to supplement section 2107 of the Revised Statutes," passed March 19, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to supplement section 2107 of the Revised Statutes," passed March 19, 1887 (84 O. L., 136), be supplemented by the following section, numbered as provided :

Sec. 2107*w*. The foregoing board of joint city and county work-house directors shall have power to establish rules and regulations under which and specify the conditions on which any prisoner may be allowed to go upon parole outside of the buildings and enclosures, but to remain, while on parole, in the legal custody and under the control of the board, and subject at any time to be taken back within the enclosure of said institution; and full power to enforce such rules and regulations and conditions, and to retake and re-imprison any convict so upon parole, is hereby conferred upon said board, whose written order, certified by its secretary, shall be a sufficient warrant for all officers named therein, to authorize such officer to return to actual custody any conditionally released or paroled prisoner, and it is hereby made the duty of all officers to execute said order the same as ordinary criminal process; and said board may employ or authorize any person or persons to see that the conditions of said paroles

Work-house
directors may
provide for pa-
role of prison-
ers

are not violated, and in case of such violation to return and such prisoner so violating said parole to said work-house, and the time between the violation of the conditions of such parole or conditional release (by whatever name), as entered by order of the board in the record of its meetings, and the re-imprisonment or return of such prisoner shall not be counted as any part or portion of time served under any sentence; and any prisoner at large upon such parole who fails to return to the actual custody of said work-house as may be specified as one of the conditions of his parole, or commits a fresh crime and is convicted thereof, shall be, on the order of said board, treated as an escaped prisoner and subject to the penalties named in section two thousand one hundred and three (2103) of the Revised Statutes.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 4, 1890.

44G

[Senate Bill No. 61.]

AN ACT

For the relief of Michael Malone, late sergeant of Co. B, 1st regiment of infantry, Ohio national guard.

Appropriation
for relief of
Michael Ma-
lone.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of the state of Ohio be and he is hereby authorized and required to issue his warrant on the state treasurer to pay to Michael Malone, late sergeant of Co. B, 1st regiment of infantry, Ohio national guard, the sum of seven hundred and fifty dollars, which sum shall be in full liquidation and payment of said Michael Malone, for loss through injuries received by him in the discharge of duty as a member of the Ohio national guard, while aiding in suppressing the riot in Cincinnati, in 1884.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 3, 1890.

45G

[House Bill No. 280.]

AN ACT

To authorize certain villages to issue bonds for certain street improvements.

Authorizing
certain villages
to issue bonds
for street im-
provements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in this state which, at the last federal census, contained a population

of 1,781, situated in a county having a city of the first class, second grade, into which any public highway leads through said village, may, upon the written request of the owners of three-fourths of the property abutting upon said highway, or any part thereof lying within said village, issue the bonds of said village in any sum necessary, not exceeding forty thousand dollars, for the grading, draining, curbing, paving, and improving the portion of said highway lying within its limits, or any part thereof.

SECTION 2. Said bonds, when so issued, shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be redeemable at a period not exceeding twenty-five years from the date of issue. They shall be signed by the mayor and countersigned by the clerk of said village, and shall be made payable at such place or places as the council of said village shall, by ordinance, provide; and said bonds shall not be sold for less than their par value, and may be issued and sold at such times and places, and in such amounts, as the council of said village shall provide by ordinance.

Bonds: denomination; interest, etc.

SECTION 3. The money arising from the sale of said bonds shall be used by the council of said village for the purpose of grading, curbing, draining, paving and improving said highway, or portion thereof lying within said village as shall have been requested so to be improved as provided in section 1 of this act.

Application of proceeds.

SECTION 4. Whenever the bonds of said village shall be issued as provided herein, it shall be the duty of the council of said village to levy a tax and assessment upon all property, lots, premises, and hereditaments abutting said highway within the limits so improved, sufficient to pay the interest accruing annually upon said bonds as issued, and to create a sinking fund for the payment of the principal of said bonds as the same shall fall due; provided, that said council may create said sinking fund whenever, in its judgment, it shall be necessary.

Cost to be assessed upon abutting property.

SECTION 5. That for the purpose of paying such amount or portion of said bonds as shall have been issued for the purpose of paving street and alley intersections, the council of said village may and is hereby authorized to levy a tax upon all the taxable property in said village, in addition to the amount allowed to be levied by law, to be placed in the said highway improvement fund, and not be otherwise applied or appropriated.

Intersections: how paid for.

SECTION 6. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 3, 1890.

[Senate Bill No. 49.]

AN ACT

To authorize cities of the fourth grade of the second class to aid in the erection of monumental or memorial halls, and issue bonds therefor.

Certain cities authorized to aid in erection of memorial halls.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the fourth grade of the second class, which at the last federal census had, and at any subsequent federal census may have, a population of six thousand and forty-six (6,046), be and the same is hereby authorized and empowered to appropriate a sum of money, not exceeding twenty-five thousand dollars, to aid in the erection of a building to be known as a "monumental or memorial hall," a portion of which building is to be leased to said city and used by it for a public library and armory purposes, as provided for in section seven (7) of an act of the general assembly of the state of Ohio, passed March 19, 1889 (86 Ohio laws, page 520), entitled "an act supplemental to an act to authorize the commissioners of Pickaway county, Ohio, to erect a soldiers' monument, or provide other memorial structures, and to extend the time for doing the same," passed May 17, 1886 (Ohio laws, vol. 83, page 371).

May issue bonds.

SECTION 2. For the purpose of raising the money authorized to be appropriated by section 1 of this act, the city council of said city is hereby authorized to issue and sell the bonds of said city in any sum not exceeding twenty-five thousand dollars, in denominations of not more than one thousand dollars each, bearing interest not exceeding six per cent. per annum, payable semi-annually, at such time or times, not more than fifteen years from their date, as the city council may determine. Said bonds shall express upon their face the purpose for which and the act under which issued, and shall be signed by the mayor and countersigned and registered by the clerk of said city, with the seal thereof impressed thereon, and shall be sold according to law, and for not less than the face thereof, with any interest that may have accrued thereon; and the proceeds thereof shall be placed in the city treasury and paid out upon the appropriation and order of the city council, for the purpose aforesaid.

Levy of tax.

SECTION 3. The city council of said city shall levy, annually, on all the taxable property in said city, a tax sufficient in rate and amount, not exceeding one mill on the dollar in any one year, to pay the accruing interest on such bonds and to provide a sinking fund to pay said bonds at maturity.

Question of issue to be submitted to vote.

SECTION 4. Before such bonds, or any of them, shall be issued by said city council, the question of issuing the same shall be submitted to a vote of the qualified electors of said city at the regular spring election, on the first Monday of April, 1890. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words, "Monumental or memorial hall bonds—Yes;" and those voting against the issue of said bonds shall have written or printed on their ballots the words, "Monumental or memorial hall bonds—No;" and should a majority of the electors vot-

ing upon said proposition vote in favor thereof, then said council shall be authorized to issue said bonds as provided in this act. Ten days' notice of such [election] shall be given by the council of said city by publication in the newspapers published in said city.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 5, 1890.

47G

[House Bill No. 102.]

AN ACT

To amend sections 2264 and 2274 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2264, as amended May 15, 1886, and 2274, as amended March 19, 1889, be so amended as to read as follows:

Sec. 2264. In the cases provided for in the last section, and in all cases where an improvement of any kind is made of an existing street, alley or other public highway, the council may decline to assess the costs and expenses in the last section mentioned or any part thereof, or the costs and expenses or any part thereof of such improvement, except as hereinafter mentioned, on the general tax-list, in which event such costs and expenses, or any part thereof which may not be so assessed on the general tax-list, shall be assessed by the council on the abutting and such adjacent and contiguous or other benefited lots and lands in the corporation, either in proportion to the benefits which may result from the improvement, or according to the value of the property assessed, or by the foot front of the property bounding and abutting upon the improvement, as the council, by ordinance setting forth specifically the lots and lands to be assessed, may determine before the improvement is made, and in the manner and subject to the restrictions herein contained; and the assessments shall be payable in one or more installments, and at such times as the council may prescribe; but this section shall be subject to the provisions of chapter two of this division, and in cities of the first and third grades of the first class, at the time when the council determines that the cost of such improvement is to be assessed as above provided, it shall also determine in how many installments said assessments shall be payable; at what intervals, if payable in more than one installment; also whether or not bonds shall be issued in anticipation of such assessment; and when bonds are issued in anticipation of the collection of such assessment, the interest accrued and to accrue on said bonds shall be considered and treated as part of the costs and expenses of such improvement for which assessments may be made. In cities of the third grade of the first class, such assessments, when made,

Assessments
which may
be made
special.

(Toledo)

shall become due and payable at the time and in the manner provided by the council, and if said assessment or any installment thereof shall not be paid at the time the same becomes due, a penalty of fifteen (15) per centum shall thereupon attach to such unpaid assessment or installment, and thereafter such unpaid assessment or installment shall bear interest until the payment thereof at the same rate as the bonds issued in anticipation of the collection of such assessment; and the county auditor shall annually place upon the tax duplicate the penalty and interest herein provided for. When the council of said cities of the third grade of the first class shall determine to issue bonds in anticipation of the collection of assessments provided for in this section or required by section twenty-two hundred and seventy four (2274), the provisions of section two thousand seven hundred and two (2702) shall not apply; nor shall said section 2702 apply when a part, not in excess of one-third of the cost and expense of any such improvement or appropriation, is to be paid by any such city by levy or assessment upon the general tax-list, issue of bonds, or otherwise, as may be provided by law; and any such city of the third grade of the first class is hereby authorized to issue and sell its general street improvement bonds at a rate for interest not in excess of four and one-half per cent. per annum ($4\frac{1}{2}\%$), payable semi-annually, to pay for the city's part or share as aforesaid, of the cost and expense of any such improvement or (and) appropriation, and may levy taxes or make assessments as provided in the preceding section to pay such bonds and interest thereon.

Intersections:
cost of, how
paid.

Sec. 2274. That when the council of a city, except in cities of the first grade of the first class, and in cities of the first grade of the second class, determines to grade, pave, sewer, or otherwise improve a street, alley, or other public highway, and the improvement crosses or intersects another street, alley, or public highway, the council shall levy and assess a tax, in addition to that specified in the last section, upon the general tax list of all the taxable real and personal property in the corporation, for the estimated cost and expense of so much of the improvement as may be included in the crossing or intersection of such street, alley, or highway, which amount the corporation clerk shall certify to the county auditor, and the same shall be enforced against such real and personal property as other taxes are enforced and collected; and such amount may be so certified, and such levy made, after the contract is let, or said improvement completed, and the provisions hereof shall apply to improvements already determined upon or ordered and for the payment of which special assessments have not been made.

SECTION 2. That said original sections 2264 and 2274, amended as aforesaid, be and the same are hereby repealed; and this act shall take effect on its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 5, 1890.

[House Bill No. 224.]

AN ACT

To amend section 1107 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1107 of the Revised Statutes of the state of Ohio be amended so as to read as follows:

Sec. 1107. The county treasurer, when any warrant, drawn on him as treasurer, by the auditor of his county, is presented for payment, shall, if there is money in the treasury for that purpose, and said warrant be indorsed by the payee thereof, redeem the same, and shall write on the face of such warrant "Redeemed," the date of the redemption, and shall sign his name thereto.

Redemption of
county war-
rants.

SECTION 2. That section 1107 of the Revised Statutes of the state of Ohio be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 5, 1890.

49G

[Senate Bill No. 8.]

AN ACT

To authorize and empower the trustees of townships in any county of the state having a population at the last federal census of 44,880, to take control of abandoned church property, and sell and convey the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever in any county of this state, having a population at the last federal census of 44,880, or that may hereafter have such population, any building or buildings, having been used for public purposes, such as a meeting house for religious exercises and divine worship, or for any other public use, have been abandoned for a period of ten years or more by the society, association, denomination, or sect, and such building or buildings are going to decay and becoming worthless, the trustees of the township where such building or buildings are situate, shall take possession of, and control such building or buildings, and shall proceed to advertise and sell the same, giving notice of the time and place of such sale, by posting up notices in three of the most public places in the township where such property is situate, for not less than ten days before sale. Each sale shall be at public vendue and to the highest bidder, and shall be at, or near the property sold. The trustees shall make, or cause to be made, proper conveyances of such property, and the proceeds thereof shall be paid into the township treasury for township purposes.

Abandoned
church prop-
erty: control and
disposition of.
in certain
counties.

Application of
proceeds.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 6, 1890.

50G

[Senate Bill No. 58.]

AN ACT

To amend section 4018 of the Revised Statutes of Ohio, relating to employment of teachers in township districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4018 of the Revised Statutes of Ohio be amended so as to read as follows:

Directors to
 employ, pay,
 and dismiss
 teachers.

Sec. 4018. In township districts the directors shall employ and for sufficient cause dismiss, the teachers of the schools in their respective sub districts, and shall fix their salaries or pay, which salaries or pay may be increased but not diminished in amount by the township board, and shall not exceed in the aggregate, in any year, for any sub-district, the amount of money to which the sub-district is entitled for the purpose of tuition for such year; provided, it shall be unlawful for directors, prior to the annual election on the second Monday of April, and the qualification of the director or directors elected thereat, to employ or contract to employ any teacher for a term to commence after the expiration of the current school year; if the directors of any sub-district fail to employ a teacher for their school, the township board shall employ such teacher, and fix the salary to be paid; and the directors, at the end of any month, or at the end of the term, shall give to the teachers employed by them certificates of such employment, and of services rendered, addressed to the township clerk, who, upon presentation thereof, and compliance by such teachers with the provisions of section forty hundred and fifty-one, shall draw orders on the township treasurer for the amounts certified to be due, in favor of the parties entitled thereto, and the treasurer shall pay the same.

SECTION 2. Section 4018 of the Revised Statutes is hereby repealed; and this act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 6, 1890.

51G

[Senate Bill No. 98.]

AN ACT

To authorize the village council of any village which at the last federal census had, or which at any subsequent federal census may have, a population of not less than three thousand eight hundred and twenty, nor greater than three thousand eight hundred and twenty-five, to borrow money and issue bonds for the purpose of making certain improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of any incorporated village which at the last federal census had, or which at any subsequent federal census may have, a population not less than three thousand eight hundred and twenty, nor greater than three thousand eight hundred and twenty-five, be and said council is hereby authorized to issue bonds in any sum not exceeding one hundred thousand dollars, in denominations not exceeding one thousand dollars each, bearing interest not to exceed six per cent. per annum, payable semi-annually, to be designated as improvement bonds, and to be payable in not less than ten nor more than thirty years from their date, as said village council may determine.

Certain villages authorized to issue improvement bonds.

SECTION 2. Said bonds shall not be issued by said council until the question shall have first been submitted to a vote of the qualified electors of said village, at a general or special election, of which not less than ten days' notice shall be given by publication in some newspaper of general circulation in said village; and at said election all those desiring to vote in favor of issuing said bonds shall have written or printed on their ballots the words, "Issue of improvement bonds—Yes;" and all voters desiring to vote against said issue of bonds, shall have written or printed on their ballots the words, "Issue of improvement bonds—No." And if a majority of said votes cast at such election be in favor of the issue of such bonds, then said council may proceed as authorized by this act, and not otherwise.

Question to be submitted to vote.

SECTION 3. Provided the authority to issue said bonds is ratified by the electors of said village, as provided for in section two (2) of this act, said bonds shall be sold for not less than their par value, and the proceeds thereof shall be placed in the village treasury, to be expended in extending the limits of said incorporated village, opening, widening and extending the streets and alleys thereof, as well as repairing and improving the same, and for the purchase and improvement of real estate for park and other purposes for the use of said village.

Bonds: how sold; how proceeds of, expended.

SECTION 4. The proceeds of the sale of said bonds shall be paid out upon the appropriation and order of the village council for the purposes aforesaid, subject, however, to the approval and control of the village improvement board, herein-after provided for.

How proceeds of bonds paid out.

SECTION 5. The court of common pleas of Shelby county, at its next ensuing term, shall appoint six electors of said village, not more than three of whom shall belong to any one political party, to be styled a "village improvement board;" and all the appropriations made by the village council under

"Village improvement board;" how appointed; duties of.

this act, shall be submitted to, and passed upon and approved by a majority of said board, and it shall be unlawful to appropriate or pay out any of said money for any purpose until such approval is filed in writing in the office of the clerk of said village.

Compensation
of board; term
of service;
removals; how
vacancies
filled.

SECTION 6. The members of said board of improvement shall serve without pay, and until the funds arising from the sale of said bonds shall have been expended; but may be removed for cause, by said court; and any vacancy occurring in said board by resignation, or removal, or from any other cause, shall be filled by appointment by said court of common pleas at the next ensuing term thereof, and in such manner as that not more than three members thereof shall be of the same political party.

Council
authorized to
sell and con-
vey and lease
real estate.

SECTION 7. The village council of said village is hereby authorized to sell at public or private sale, for such price, and on such terms as they may see fit, and duly convey to purchasers so much of the present or hereafter acquired real estate belonging to said village for park or other purposes, as they may by ordinance determine to sell, and may lease for such time and upon such terms as said council shall by ordinance determine, so much of said real estate as they may see fit; provided, however, that such sale or lease shall be subject to the approval of the said village improvement board in the manner hereinbefore provided, and no such sale or lease shall be valid without such approval.

Levy of tax.

SECTION 8. Said village council is hereby empowered to levy such amount of tax upon the taxable property of said village, in addition to other taxes authorized by law, as may be necessary to pay the interest and principal of such bonds when the same become due; said taxes to be levied and collected in the same manner as taxes for other purposes are levied and collected.

SECTION 9. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 6, 1890.

52G

[House Bill No. 80.]

AN ACT

To provide for the election of an additional judge of the court of common pleas in the second sub-division of the tenth judicial district of the state of Ohio.

Additional
judge in
second sub-
division of
tenth district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there shall be hereafter elected an additional judge of the court of common pleas for the second sub-division of the tenth judicial district of the state of Ohio, who shall be a resident therein and who shall be elected by the

qualified electors of the counties of Crawford, Marion and Wyandot, being the counties comprising said second sub-division of said tenth judicial district of Ohio.

SECTION 2. That the election for said additional judge shall be held on the first Monday of April, A. D. 1890, at the time of the annual elections for municipal and township officers, at a special election for that purpose, under and in pursuance of the general election laws of the state of Ohio, governing the election of judges of the courts of common pleas, and he shall be elected for the term of five years, beginning on the third Monday of April, A. D. 1890; shall have all the powers and be subject to all the obligations and shall perform all and singular the duties pertaining to said office of judge of the court of common pleas, and shall receive the same compensation as other common pleas judges, and shall continue in office until his successor shall be elected and qualified; his successor shall be elected at the next regular annual election, which shall be held on the first Tuesday after the first Monday of November next preceding the expiration of the term of office of said additional judge.

Time of election; term; powers; duties; compensation.

SECTION 3. That should a vacancy occur in the office of said additional judge, by death, resignation or otherwise, it shall be filled in the manner provided for filling vacancies in the office of judge of the court of common pleas.

Vacancy: how filled.

SECTION 4. That at said special election on the first Monday of April, A. D. 1890, for the election of said additional judge, the judges and clerks of such municipal and township elections shall act as the officers at the election of said additional judge, and the judges of each election precinct shall keep separate ballot-boxes, poll-books and tally-sheets, and one each, of said poll-books and tally-sheets, shall be returned to the clerk of the court of common pleas of the county in which said election precincts are situate, and said clerk of the court of common pleas in said several counties in which said special election is held, shall make and transmit abstracts of the vote as in other elections of judges of the court of common pleas.

Election: how conducted; returns thereof.

SECTION 5. That it shall be the duty of the sheriff of each county in said second sub-division of said tenth judicial district of Ohio, comprised of the counties of Crawford, Marion and Wyandot, at least ten days prior to the first Monday of April, A. D. 1890, and at least fifteen days prior to the first Tuesday after the first Monday in November of each year immediately prior to the expiration of each successor's term of office of such additional judge, to give notice by proclamation according to law of the time and place of holding the election of such additional judge; which elections for said additional judge shall, after the special election herein mentioned, be held at the same time and place of holding general elections of state and county officers, and shall be conducted and the returns thereof made in the same manner required by law in the elections of judges of the court of common pleas.

Notice of election.

SECTION 6. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 6, 1890.
 53G

[House Bill No. 315.]

AN ACT

To authorize the council of any incorporated village which at the last federal census had, or which at any subsequent census may have, a population of not less than seven hundred (700), nor more than seven hundred and five (705), to issue the bonds of such village for certain purposes therein named.

Certain villages authorized to issue bonds for natural gas and other purposes.

Question to be submitted to vote; notice and conduct of election.

Bonds: how issued; rate of interest, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village which at the last federal census had, or which at any subsequent federal census may have, a population not less than seven hundred (700), nor greater than seven hundred and five (705), be and the same is hereby authorized to issue the bonds of such village in any sum not to exceed twenty-five thousand dollars (\$25,000), for the purpose of purchasing or leasing natural gas territory, sinking wells, purchasing and laying gas mains and service pipes, and securing the right of way for the same, and to supply the citizens of such village with natural gas for public or private use, and for other general improvements and benefit of such village; provided, said bonds shall not be issued by council until the question shall have first been submitted to a vote of the qualified electors of such village, at a general or special election, of which not less than ten days' notice shall be given by publication in some newspaper of general circulation in said village; and at said election all those desiring to vote in favor of issuing said bonds shall have written or printed on their ballots the words, "Issue of gas and improvement bonds—Yes;" and all voters desiring to vote against said issue of bonds shall have written or printed on their ballots the words, "Issue of gas and improvement bonds—No;" and if a majority of the votes cast at said election be in favor of the issue of such bonds, then said council may proceed as authorized by this act, and not otherwise.

SECTION 2. Said bonds, when issued, shall be signed by the mayor and countersigned by the clerk of such village, and shall be issued in sums of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500), and shall bear interest at a rate not to exceed six (6) per cent. per annum, payable semi-annually, the principal and interest of said bonds to be payable at such bank or other place as the council may direct; and the bonds may be issued in such amount and payable at such times as said council may determine.

SECTION 3. For the purpose of providing for the payment of the interest on such bonds and of the bonds themselves when they shall become due, the council of such village shall levy and assess, annually, a tax, in addition to the taxes now by law authorized to be levied, on all the taxable property of such village, sufficient to meet the principal and interest of such bonds as the same become due. The first levy shall be made in the year 1890, and annually thereafter, as the council shall direct; provided, that the net income of such natural gas plant shall be applied, annually, in part payment of such bonds as the same become due, and the levies mentioned in this section shall be for the purpose of paying what remains unpaid of such interest and bonds after such net income has been applied as aforesaid, and the money raised by such levy shall be applied only for the purpose mentioned in this act.

Levy of tax.

Net income of natural gas plant: how applied.

SECTION 4. This act shall take effect and be in force on and after its passage.

NIAL R. HYSSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 6, 1890.
54G

[House Bill No. 70.]

AN ACT

To prevent deception in the sale of dairy products and to preserve the public health.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That no person, by himself or his agent, or his employe, shall render or manufacture for sale out of any animal or vegetable oils, not produced from unadulterated milk or cream from the same, any article in imitation or semblance of natural butter or cheese produced from pure unadulterated milk or cream from the same, nor compound with, or add to milk, cream or butter any acids or other deleterious substance, or animal fats or animal or vegetable oils not produced from milk or cream, so as to produce any article or substance, or any human food, in imitation or semblance of natural butter or cheese, nor shall sell, keep for sale or offer for sale any article, substance or compound made, manufactured or produced in violation of the provisions of this section, whether such article, substance or compound shall be made or produced in this state or elsewhere.

Butter and cheese: manufacture or sale of articles in imitation of natural, prohibited.

SECTION 2. For the purpose of this act the terms "natural butter and cheese," "natural butter or cheese produced from pure unadulterated milk or cream from the same, butter and cheese made from unadulterated milk or cream, butter or cheese, the product of the dairy," and butter or cheese, shall be understood to mean the products usually known by the terms butter and cheese, and which butter is manufactured exclusively from pure milk or cream or both, with salt and with or without any harmless coloring matter,

"Natural butter and cheese," etc., defined.

Oleomargarine.

and which cheese is manufactured exclusively from pure milk or cream or both, with salt and rennet and with or without any harmless coloring matter or sage. It is further provided that nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine, in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from any coloring matter or other ingredient causing it to look like or to appear to be butter, as above defined.

Penalty.

SECTION 3. Whoever violates the provisions of this act shall be guilty of a misdemeanor, and be punished by a fine of not less than one hundred dollars, nor more than five hundred, or not less than six months' nor more than one year's imprisonment, for the first offense, and by imprisonment for one year for each subsequent offense.

SECTION 4. This act shall take effect from and after the first day of May, 1890.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 7, 1890.

55G

[House Bill No. 127.]

AN ACT

To authorize councils of cities of the first grade of the second class to construct and maintain main trunk sewers and sewer pumping stations, and to issue bonds to pay for the construction of such main trunk sewers and sewer pumping stations.

Councils of certain cities may construct main trunk sewers and sewer pumping stations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That councils of cities of the first grade of the second class be and they are hereby authorized and empowered to construct and maintain main trunk sewers and sewer pumping stations between and at such points as said councils may determine.

May issue bonds; amount; term to run; interest; denomination.

SECTION 2. That for the purpose of raising funds to pay for the construction of the main trunk sewers and sewer pumping stations authorized by this act, the councils of said cities be and they are hereby authorized and empowered to issue, from time to time, the bonds of such cities for any sum not exceeding in the aggregate two hundred and fifty thousand dollars (\$250,000.00), running for such length of time as such councils may determine, not exceeding thirty years, and bearing such rate of interest as may be determined by said councils, not exceeding six per centum per annum, payable semi-annually, and of denominations of one thousand dollars each.

Bonds: how made and disposed of; how designated; how proceeds of, applied.

SECTION 3. Such bonds shall be made and disposed of in the manner that is or may be provided by law for the issue and sale of other bonds of such municipal corporations. Said bonds shall be designated as main trunk and sewer pumping

station bonds, and the proceeds of the sale thereof shall be applied exclusively to the purposes for which they are issued.

SECTION 4. For the purpose of paying the principal and interest of the bonds that may be issued under the provisions of this act, as they respectively mature, the councils of said cities are hereby authorized and empowered to levy annually upon all the taxable property of said cities a tax sufficient in rate and amount to pay the interest that will accrue upon said bonds and to provide a sinking fund to pay said bonds at maturity, and such tax or levy may be additional in amount to the aggregate rate and the aggregate of all taxes now or hereafter authorized to be levied or ordered by such municipal corporations. Levy of tax.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 7, 1890.
56G

[House Bill No. 366.]

AN ACT

To amend an act entitled "an act to apportion the state of Ohio into congressional districts," passed May 18, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the above recited act be amended to read as follows:

Sec. 1. That the state of Ohio shall be divided into twenty-one districts for the election of representatives to congress, and each district shall choose one representative in the manner following, to-wit: Congressional apportionment.

First district. That so much of the county of Hamilton as is now contained within the limits of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, eighteenth, nineteenth, twentieth, twenty-first, twenty-sixth and twenty-seventh wards of the city of Cincinnati, as they are now constituted, and the townships of Anderson, Columbia, Spencer, Symmes, Sycamore and Southeast, St. Bernard and Clifton precincts of Mill Creek township shall compose the first district.

Second district. The balance of the county of Hamilton, as is now contained within the limits of the tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-eighth, twenty-ninth and thirtieth wards of the city of Cincinnati, as they are now constituted, and the townships of Springfield, Colerain, Green, Delhi, Miami, White-water, Harrison, Crosby and College Hill, Winton Place, Western, Avondale, Bond Hill, Elmwood and Northeast

Congressional
apportion-
ment.

precincts of Mill Creek township shall compose the second district.

Third district. The counties of Butler, Montgomery and Warren shall compose the third district.

Fourth district. The counties of Champaign, Darke, Mercer, Miami, Preble and Shelby shall compose the fourth district.

Fifth district. The counties of Allen, Auglaize, Hardin, Logan, Putnam and Van Wert shall compose the fifth district.

Sixth district. The counties of Defiance, Fulton, Henry, Paulding, Williams and Wood shall compose the sixth district.

Seventh district. The counties of Erie, Lucas, Ottawa and Sandusky shall compose the seventh district.

Eighth district. The counties of Hancock, Marion, Seneca, Union and Wyandot shall compose the eighth district.

Ninth district. The counties of Franklin, Madison and Pickaway shall compose the ninth district.

Tenth district. The counties of Clark, Clinton, Fayette, Greene and Ross shall compose the tenth district.

Eleventh district. The counties of Adams, Brown, Clermont, Highland and Pike shall compose the eleventh district.

Twelfth district. The counties of Athens, Gallia, Lawrence, Meigs and Scioto shall compose the twelfth district.

Thirteenth district. The counties of Fairfield, Hocking, Jackson, Morgan, Perry and Vinton shall compose the thirteenth district.

Fourteenth district. The counties of Coshocton, Licking, Muskingum and Tuscarawas shall compose the fourteenth district.

Fifteenth district. The counties of Ashland, Crawford, Delaware, Knox, Morrow and Richland shall compose the fifteenth district.

Sixteenth district. The counties of Holmes, Medina, Wayne and Stark shall compose the sixteenth district.

Seventeenth district. The counties of Belmont, Noble, Monroe and Washington shall compose the seventeenth district.

Eighteenth district. The counties of Carroll, Columbiana, Guernsey, Harrison and Jefferson shall compose the eighteenth district.

Nineteenth district. The counties of Ashtabula, Geauga, Mahoning, Portage and Trumbull shall compose the nineteenth district.

Twentieth district. The counties of Huron, Lake, Lorain, Summit, and the townships of Bedford, Chagrin Falls, East Cleveland, Euclid, Mayfield, Newburg, Orange, Warrensville, Solon, Brecksville, Brooklyn, Dover, Middleburg, Olmstead, Parma, Independence, Rockport, Royalton and Strongsville, in Cuyahoga county, and the eighteenth, nineteenth, twentieth, twenty-first and twenty-seventh wards of the city of Cleveland, as they are now constituted, shall compose the twentieth district.

Twenty-first district. The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth and fortieth wards of the city of Cleveland, as they are now constituted, shall compose the twenty-first district.

Congressional
apportion-
ment.

SECTION 2. That the "act to apportion the state of Ohio into congressional districts," passed May 18th, 1886, is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 11, 1890.

57G

[House Bill No. 355.]

AN ACT

To amend section 2865 of the Revised Statutes of Ohio, as amended March 27, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2865 of the Revised Statutes as amended March 27, 1889, be amended to read as follows:

Sec. 2865. There shall hereafter be allowed to the publishers of newspapers, for advertising the delinquent and forfeited lists of the several counties, and the notice of sale, a sum not exceeding the following rates: For the notice of sale, ten dollars; for designating the several school districts, townships, hamlets, villages and cities, and the several wards in any city, fifty cents each; and for each tract of land, city or town lot, or part of lot, contained in each of said lists, thirty cents; provided, that in no case shall a greater sum than one-half of the taxes and penalties, due on any tract, lot, or part of lot, be allowed for advertising such tract, lot, or part of lot; and no such property shall be published in said list, as delinquent, on which the taxes and penalty shall have been paid on or before the twentieth day of December.

Fees for publi-
cation of
delinquent
and forfeited
land list.

SECTION 2. Said section 2865 as amended March 27, 1889, is hereby repealed; and this act shall be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 12, 1890.

58G

[House Bill No. 476.]

AN ACT

To authorize the transfer of certain church property.

Church property: transfer of certain, authorized.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any ecclesiastical society, incorporated under the laws of this state, connected with a church of Christ, in this state, may, by unanimous vote of its adult members present at a meeting called and held for that purpose, assign, transfer, and convey to the church with which it is connected, and which is incorporated under the laws of the state, all the property and estate, real and personal, and trust funds of said society, to be held by said corporation for the same uses and trusts upon which the same has heretofore been held by said society; and the society committee, or trustees, are fully authorized to make, pursuant to such vote, any and all conveyances necessary to complete such assignment and transfer; before the same shall be fully affected [effected], a certificate of the fact of such assignment and transfer shall be filed in the office of the secretary of state.

Certificate to be filed with secretary of state.

SECTION 2. This act shall take effect from its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 12, 1890.

59G

[House Bill No. 106.]

AN ACT

To amend section two of an act entitled "an act to provide for the establishment and maintenance of a home for disabled and indigent ex-soldiers, sailors and marines of Ohio," passed April 30, 1886 (83 v., p. 107), as amended April 13, 1889 (86 v., pp. 290, 291).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of the act entitled "an act to provide for the establishment and maintenance of a home for disabled and indigent ex-soldiers, sailors and marines of Ohio," passed April 30, 1886, as amended April 13, 1889, be amended so as to read as follows:

Who entitled to admission to Ohio soldiers' and sailors' home.

Sec. 2. All honorably discharged soldiers, sailors, and marines, who have served the United States government in any of its wars, and who are citizens of Ohio at the date of the passage of this act, and all soldiers of the national guard of Ohio, who have heretofore lost, or may hereafter lose an arm, or leg, or his sight, while in the line and discharge of duty, who are not able to support themselves, and are not entitled to admission to the national military homes, or can not gain admission thereto, may be admitted to the home named in the preceding section, under such rules and regulations as may be adopted by the board of trustees hereinafter provided for; and that when said soldier, sailor or marine is entitled to

admission into said home, the chairman of the soldiers' relief commission of the county in which said soldier, sailor or marine is a resident may, upon application therefor, furnish transportation by the most direct route, from the residence of said soldier, sailor or marine, to said soldiers' and sailors' home, and pay for the same out of the funds in said county known as the soldiers', sailors' and marines' indigent relief fund; provided, that as to honorably discharged soldiers who have served the United States government, preference shall be given to those who served in Ohio military organizations.

Transportation: how furnished.

Who to have preference.

SECTION 2. That said section two of said act as amended April 13, 1889, is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 12, 1890.

60G

[House Bill No. 242.]

AN ACT

To authorize the commissioners of any county having, at the last decennial census, a population of thirty-four thousand two hundred and eighty-four, to appropriate certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of any county having, at the last decennial census, a population of thirty-four thousand two hundred and eighty-four, be and are hereby authorized to appropriate out of the building and improvement fund, not to exceed four thousand dollars, to be used in sinking a gas well on the infirmary farm, for the purpose of furnishing light and fuel for the use of the infirmary and children's home of said county.

Commissioners of certain counties authorized to appropriate funds to sink gas wells.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 12, 1890.

61G

[House Bill No. 318.]

AN ACT

To authorize cities of the first grade of the second class to construct and maintain main trunk sewers, and to issue bonds to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the second class be and they are hereby authorized and empowered to construct and maintain main trunk sewers between such points as the councils of such cities may determine.

Certain cities authorized to construct main trunk sewers.

May issue
bonds;
amount; term
to run;
interest;
denomination,
etc.

SECTION 2. That for the purpose of paying for the construction of such sewers, the councils of such cities be and they are hereby authorized and empowered to issue the bonds of such cities, from time to time as may be needed for such construction, for any sum not exceeding in the aggregate ten thousand dollars (\$10,000.00) running for such length of time as said councils may determine, not exceeding ten years, and bearing such rate of interest as said councils may determine, not exceeding six per centum per annum, payable semi-annually, and in denominations of one thousand dollars each. Said bonds shall be issued and sold in the manner provided for the issue and sale of other bonds of said cities; they shall be designated main trunk sewer bonds, and the proceeds of the sales thereof shall be applied exclusively to the purpose herein mentioned.

Levy of tax.

SECTION 3. For the purpose of paying the principal and interest of the bonds issued under the provisions of this act as they respectively mature, said councils are hereby authorized and empowered to levy annually upon all the taxable property in such cities, a tax sufficient in rate and amount to pay said interest and to provide a sinking fund with which to pay the principal, and said tax may be in addition to the aggregate rate and the aggregate amount of all other taxes authorized by law to be levied by such cities.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 12, 1890.

62G

[House Bill No. 444.]

AN ACT

To authorize the council of any village of this state, containing at the last federal census, or which at any subsequent federal census may have a population of 952, and which may have advanced to a city of the fourth grade of the second class, to construct a system of water-works for said city, and to issue its bonds to provide for the payment of the same.

Certain cities
fourth grade,
second class,
authorized to
issue bonds
and construct
water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any village of this state, containing at the last federal census, or which at any subsequent federal census may have a population of 952, and which may have advanced to a city of the fourth grade of the second class, be and the same is hereby authorized and empowered to purchase or lease the necessary land and water privilege and to construct a system of water-works for, and to issue the bonds of, said city, in any sum necessary to purchase or lease the necessary land and water privilege and to construct such system of water-works, but in no case to exceed fifty thousand dollars, such bonds to bear interest at a rate not to exceed five

per cent. per annum, interest payable semi-annually, as such council may by resolution or ordinance provide, said bonds to be issued at such time or times not exceeding one year from the passage of this act, and in such amounts and to be of such denominations as such council may by resolution or ordinance provide. Said bonds to be made payable at such time or times as such council may by resolution or ordinance provide, but in no case to be less than five years, nor more than thirty years from the date of their issue, and which said bonds shall not be sold for less than their par value and accrued interest in cash, the proceeds of which said bonds shall be used for no other purpose than that of purchasing or leasing the necessary land and water privilege and constructing such system of water-works, and paying the expenses incident to such establishment, construction and completion. Said bonds shall be signed by the mayor, and attested by the clerk of said city, and have the seal of each of said officers affixed; and when said bonds or any of them are sold, the proceeds thereof shall be paid to the treasurer of said city, who shall hold and disburse the same as other city funds are by him held and disbursed.

Amount,
interest;
denominations
when payable,
etc.

SECTION 2. If any bonds of said city be issued as herein provided, the council of said city is hereby authorized and required, annually thereafter, until the same and interest thereon shall be fully paid, to assess and levy a tax, on all the taxable property within the corporate limits of said city, sufficient, in addition to the taxes now or which may hereafter be authorized by law, to provide for the payment of the interest accruing upon the bonds so issued, and also to provide, by means of a sinking fund, or otherwise, for the payment of the principal of such bonds as they mature, which said levy shall be placed upon the tax duplicate of said county and collected as other taxes; provided, that said levy shall not in any one year exceed four mills on each dollar of property subject to taxation in said city. The net earnings of said water-works may be applied to the enlargement or extension of the works or of the reservoirs, the payment of the interest of any loans made for their construction, or for the creation of a sinking fund for the liquidation of the debt, as the council or board of water-works trustees of said city may from time to time by resolution order.

Levy of tax.

Application of
net earnings.

SECTION 3. Before such bonds are issued or tax levied, the question of issuing said bonds and the levying of a tax to pay said bonds, the same shall be submitted to a vote of the qualified electors of said city at a regular or a special election called for that purpose, as the council of that city may order. Notice shall be given of the time and places of holding such election, and the amount of bonds to be issued, at least five days prior to the time of holding such election, in a newspaper of general circulation in said city, or by notice posted up at five of the most public places in said city. Those in favor of the construction of water-works and the issue of bonds, shall have written or printed upon their ballots the words, "In favor of water-works—Yes." Those opposed to the construc-

Question to be
submitted to
vote.

Notice of elec-
tion.

Form of ballot.

Conduct of
election.

In case ques-
tion shall have
been submit-
ted prior to
passage of this
act, etc.

City council
vested with
power of
water-works
trustees.

Revised
Statutes: com-
pliance with,
exemption
from, and
government
by provisions
of certain sec-
tions of.

tion of water-works and the issue of bonds, shall have written or printed upon their ballots the words, "In favor of water-works—No." The election shall be held in accordance with the election laws of the state, but the poll-book and returns thereof shall be made to the city clerk, who shall present them to the city council at its first regular or special meeting held after said election, when the same shall be opened and canvassed and the result declared and entered upon the minutes of said council. If it shall appear that a majority of the ballots cast at such election were in favor of water-works and the issuing of bonds, then the council of said city shall have the authority to issue the said bonds and levy the said tax as provided in this act, and not otherwise; provided, that if the question of constructing said water-works and issuing the bonds of said city as herein set out, shall have been submitted to the qualified electors of said city at a general or special election held therein, prior to the passage of this act; and provided, further, that if a majority of those voting at said election on said question voted "In favor of water-works—Yes," then the council of said city shall not be required to submit said question again, but may issue the bonds of said city as herein provided.

SECTION 4. Until the election and qualification of a board of water-works trustees as provided by statute, the council of said city is hereby vested with all the power and authority of a board of water-works trustees, and is hereby authorized and empowered to advertise for and accept the lowest and best bid received for the construction of said works, or any part thereof, to make all contracts necessary to the construction, repair, and management of said water-works; provided, that said council shall receive no salary or pay for said services, and the construction, control, repair and management of said water-works shall devolve upon the council of said city until a board of water-works trustees shall be duly elected and qualified; provided, that the council of said city have, prior to the passage of this act, or before the election and qualification of said board of water-works trustees, fully complied with the provisions of section 2419 of the Revised Statutes of Ohio (1880); and for the purpose of carrying out more fully the provisions of this act, said council or board of water-works trustees shall not be governed in the execution thereof by sections 2683 or 2689a, but they shall be governed, however, by the provisions of section 2702 of the Revised Statutes so that no contract shall be entered into for the construction of said water-works until said bonds are sold and the money in the hands of the city treasurer.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 13, 1890.

[House Bill No. 478.]

AN ACT

To authorize villages of the first grade, having a population at the last federal census of forty-four hundred and forty-five (4,445), or which may have such population at any subsequent federal census, to issue and sell bonds, but not exceeding twenty-five thousand dollars (\$25,000) in amount, for the purpose of erecting and owning electric light plants.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That villages of the state of Ohio of the first grade, having a population at the last federal census of forty-four hundred and forty-five (4,445), or which may have such population at any subsequent federal census, be and they are hereby authorized and empowered to issue and sell their bonds in any sum not exceeding twenty-five thousand dollars (\$25,000), for the purpose of erecting and owning electric light plants to be used in supplying lights for streets and other public lighting, and lights for private use.

Certain villages authorized to issue bonds to erect electric light plants.

SECTION 2. Said bonds shall be issued and sold as are other bonds issued and sold under existing laws for other public improvement. They shall express upon their face the purpose for which issued and sold, the act of the general assembly of the state of Ohio under which authorized, shall be signed by the mayor and attested and registered by the clerk as are other bonds now authorized by law for public improvements.

Bonds: mode of issue and sale of; what they shall contain.

SECTION 3. Said bonds shall not run for a time greater than twenty (20) years from the date of their issue, and shall, together with interest, be made payable at such places as the council may direct.

Time to run.

SECTION 4. Said bonds shall not draw interest at a rate exceeding six (6) per cent. per annum, payable semi-annually. The money obtained from the sale of such bonds shall be paid into the hands of the treasurer, who shall hold and disburse the same as other village funds. Before any of such bonds shall be issued and sold, the question of the issue and sale for the purpose herein specified shall be submitted to the qualified electors of said village, at a regular or special election called for the purpose of voting on such question; the ballots used by such electors shall have written or printed thereon the words "To issue bonds to construct and own an electric light plant—Yes;" or, "To issue bonds to construct and own an electric light plant—No;" and if a majority of such electors voting on such question shall vote "Yes," then, and not otherwise, shall said village issue and sell its bonds as herein expressed; said bonds shall be issued from time to time as required, but no more shall be issued and sold than are necessary to carry out the terms and purposes of this act, and they shall be of such amount as the council may direct.

Rate of interest.

Question of issue to be submitted to vote.

SECTION 5. This act shall be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 12, 1890.

[House Bill No. 246.]

AN ACT

To create and establish an efficient board of public improvements in cities of the first grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2205, 2206, 2207 and 2231 of the Revised Statutes of the state of Ohio, as amended by the act of May 17, 1886 (O. L., vol. 83, p. 173), and section 2228 of the Revised Statutes of the state of Ohio, as amended by the act of February 3, 1887 (O. L., vol. 84, p. 14), be so amended as to read as follows:

Creating a
board of pub-
lic improve-
ments in
certain cities.

Sec. 2205. In cities of the first grade of the first class, there shall be a board of public improvements, composed of five members, electors of such city, to be appointed by the governor of the state, one for one year, one for two years, one for three years, one for four years, and one for five years from the date of such appointments respectively, and thereafter at each annual municipal election occurring one year from the date of said appointments by the governor as aforesaid, a successor of the member whose term expires, shall be elected by the electors of any such city, to serve for the term of five years, and the members shall serve until their successors are elected and qualified. The members of said board before entering upon their duties, shall take and subscribe an oath before the mayor of such city, which shall be filed and kept in the office of the city clerk, to support the constitution of the United States, and of the state of Ohio, to obey the laws and in all their official actions and judgments to maintain an honest and efficient administration of their said trust.

Board.

Sec. 2206. Each member shall give a bond, with at least three sureties, in the sum of twenty-five thousand dollars, conditioned for the faithful performance of his duties, which sureties shall each be required to take an oath that he is worth the amount of the bond, above all his liabilities, and such bond shall be approved by the mayor and city solicitor.

Duties; salary.

Sec. 2207. The members of the board shall devote their entire time and attention to the duties of the office, and shall each receive as compensation therefor, a salary of four thousand dollars per annum; and each member of such board shall, in person, supervise the cleaning, repairing and improvements of the streets, alleys, avenues, lanes, public wharves and landings, market houses and spaces, bridges, sewers, drains, ditches, culverts and sidewalks, in one of the districts into which such city may have been or may be divided.

Removal of
members.

Sec. 2228. A member of the board may be removed from office for misfeasance, malfeasance or nonfeasance in office, in the manner provided for the removal of certain officers, in chapter three, of division four, of title twelve, of the Revised Statutes, and any vacancy in the board which occurs, otherwise than by the expiration of the term for which a member was appointed or elected, shall be filled by appointment to be made by the governor of the state, for the unexpired term to which such member was appointed or elected.

Sec. 2231. The board of public improvements herein provided for, shall have all the powers and perform all the duties heretofore conferred upon or required of the board of city commissioners and board of public works, and board of health and the board of public affairs, or either of said boards, by any law now in force; and such board of public improvements shall be considered in all respects the successors of said board of public affairs, which is hereby abolished; and no resolution or ordinance recommended to and amended in council, shall take effect until approved by said board of public improvements; and no resolution or order, in which the expenditure of money is involved, or ordinance, resolution or order for the expenditure of money, no contract for the payment of money, or for granting any franchise, or creating any right, or for the purchase, lease, sale, or the transfer of property which shall have passed the common council, except such as levying special taxes for the improvement of streets, shall take effect until approved by at least three members of the board; and for such final approval every such ordinance, resolution, order or contract shall be submitted to the board, after being approved by the mayor, or after being recommended and passed by the council if disapproved by the mayor.

General powers and duties of board.

SECTION 2. The title of said chapter two, of division seven, of title twelve of the Revised Statutes is hereby amended to read as follows: "Board of public improvements."

Title chapter 2, division 7, amended.

SECTION 3. Any part of section 2186 of the Revised Statutes of the state of Ohio, as amended May 18, 1886 (O. L., vol. 83, page 199), inconsistent with the provisions hereof, is hereby repealed.

Repeal.

SECTION 4. That sections 2205, 2206, 2207, and 2231, as amended May 17, 1886, and section 2228, as amended February 3, 1887, of the Revised Statutes of the state of Ohio, be and the same are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 13, 1890.

65G

[Senate Bill No. 111.]

AN ACT

To amend an act entitled "an act to amend sections 1, 2 and 11 of an act passed March 24, 1884 (O. L. 81, pp. 73 and 76); and section 12 of an act passed February 27, 1885 (O. L. 82, p. 61)," passed May 19, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "an act to amend sections 1, 2 and 11 of an act passed March 24, 1884 (O. L. 81, pp. 73 and 76); and section 12 of an act passed February 27, 1885 (O. L. 82, p. 61)," passed May 19, 1886, be so amended as to read as follows:

Board of
managers Ohio
penitentiary:
appointment
and term of.

Sec. 1. The government and control of the Ohio penitentiary and the prisoners sentenced thereto, shall be vested in a board of managers, to consist of five members, at least one of whom shall be a practical and skilled mechanic, and not more than three members of said board shall belong to the same political party; to be appointed by the governor immediately after the passage of this act, by and with the advice and consent of the senate, one to serve one year, one two years, one three years, one four years and one five years, as may be designated by the governor at the time of their appointment; and at the expiration of the term of office of each member of the board, his successor shall be appointed, in the manner and by the authority as hereinbefore provided, but for the term of five years. Whenever a vacancy occurs in the board of managers, otherwise than by the expiration of the term of a manager, such vacancy shall be filled by appointment by the governor, by and with the advice and consent of the senate, if the senate be in session, and if the senate be not in session then said appointment shall be subject to the confirmation of the senate when it next convenes, for such term designated by the governor at the time of appointment, as shall preserve and insure the rotation in office of the managers the same as if one manager should be appointed every year, at the expiration of a manager's term, for the term of five years; provided, that the governor may, for sufficient cause, remove any member of the board of managers. Also provided, that the board of managers existing in pursuance of the act, to which this act is amendatory be and the same is hereby abolished, upon the appointment and confirmation of their successors under the provisions of this act.

Organization
and duties of
board.

Sec. 2. Within five days after their appointment and confirmation, as herein provided, the board of managers shall convene at the said penitentiary, in the city of Columbus. The president of the board shall be the member having the shortest term to serve; three members of the board of managers shall constitute a quorum for organization of the board and for the transaction of all business. The managers shall give so much of their time and attention to the affairs of the penitentiary as shall insure wise, efficient and faithful management thereof; and the managers shall receive compensation as now provided by law (O. L., vol. 82, p. 244, act [of] May 4, 1885), and shall be paid by the treasurer of state upon warrants issued by the auditor of state. The managers shall examine the books and accounts of the penitentiary as kept by the officers thereof, once in each month, and shall audit all claims against the penitentiary, and shall file with the auditor of state a monthly statement of all the financial transactions of the penitentiary, showing in detail all moneys received and paid out, from whom received and to whom paid, which statement shall be open to public inspection, and a summary thereof shall be published in the annual reports. And, generally, the board of managers shall have charge of all the concerns of the penitentiary, and shall make an annual report to the governor on or before the fifteenth day of November each year, and in their annual report the board shall give a

Compensation.

classification of all the prisoners, showing their ages, term of sentence, offense committed, cause of crime, number of times convicted, habits, education and industrial relations (which shall be entered in the register as hereafter provided), and such other information and recommendations as they deem best for the information of the legislature. The board shall prepare rules for its own government, and for the government of the penitentiary in accordance with the provisions of this act and subject to the approval of the governor.

Sec. 11. The board of managers shall, at their first meeting after the passage of this act, appoint as warden a person of practical experience for the position, with the ability and qualifications necessary to successfully carry on the industries of the penitentiary, and who possesses the executive ability essential to the proper management of the officers and other employes under his jurisdiction, and to enforce and maintain proper discipline in every department; said warden shall hold his office for two years, unless sooner removed for cause.

SECTION 2. That the act entitled "an act to amend sections 1, 2 and 11 of an act passed March 24, 1884 (O. L. 81, pp. 73 and 76); and section 12 of an act passed February 27, 1885 (O. L. 82, p. 61)," passed May 19, 1886, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 14, 1890.

66G

[Senate Bill No. 131.]

AN ACT

Making an appropriation to pay for Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and hereby is appropriated from any money in the treasury, not otherwise appropriated, the following sums, to-wit: Ohio Valley Company, one thousand dollars (\$1,000.00), for two hundred copies of the new editions of Revised Statutes of Ohio, fifty copies for the use of the senate and one hundred and fifty copies for the use of the house of representatives, as provided by senate resolution No. 11 and house resolution No. 5.

Revised Statutes: appropriation for purchase of.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.

67G

[House Bill No. 45.]

AN ACT

To amend section 4163 of the Revised Statutes, as amended March 14, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4163 of the Revised Statutes of Ohio, as amended March 14, 1889, be amended so as to read as follows:

Distribution
of personal
estate.

Sec. 4163. When a person dies intestate and leaves any personal property, such personal property shall be distributed in the manner prescribed in section forty-one hundred and fifty-nine, as to real property which came not by descent, devise or deed of gift from any ancestor; saving, however, such right as any widow or widower may have to any portion of such personal property; provided, that any fund in the hands of any administrator, guardian, assignee or other trustee which has arisen from the sale of real estate, which real estate came to such intestate by descent, devise or deed of gift from an ancestor, shall descend according to the course of descent prescribed by section forty-one hundred and fifty-eight, for ancestral real estate. If there be no person living to inherit the same by the provisions of this chapter, such personal property shall pass to and be vested in the state; and the prosecuting attorney of the county, in which letters of administration are granted upon such estate, shall collect the same and pay it over to the treasurer of such county, to be applied exclusively to the support of the common schools of the county in which the estate is so collected, in such manner as may be prescribed by law.

SECTION 2. Said section 4163 of the Revised Statutes of Ohio, as amended March 14, 1889 (86 vol., p. 86), be and the same is hereby repealed.

SECTION 3. This act shall take effect from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.

68G

[House Bill No. 83.]

AN ACT

To amend section 6961 of the Revised Statutes of Ohio, as amended April 16, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6961 be so amended as to read as follows:

Unlawful
killing or
catching of
game.

Sec. 6961. No person shall, on any place, catch, kill or injure, or pursue with such intent, any quail, except between the tenth day of November and the fifteenth day of December, inclusive; or any gray, fox [or] black squirrel, except between the first day of July and the fifteenth day of December,

inclusive; or any woodcock, except between the fifteenth day of July and the first day of November, inclusive; or any ruffed grouse, or pheasant, or prairie chicken, except between the first day of September and the fifteenth day [of] December, inclusive; or any wild duck, except between the first day of September and the tenth day of April, inclusive; or any wild turkey, except between the first day of October and the fifteenth day of December, inclusive; or catch, or trap, or snare at any time any quail or Virginia partridge; or upon any bog, estuary, marsh, mud-flat, or river, or any cover to which wild fowl resort, by the aid of any swivel or punt-gun, or any other gun than a common shoulder gun, or with or by the aid of any artificial light, or with the aid of, or from any sink-boat or battery, steam or naphtha launch, or with any trap or net, kill or wound, or catch, or pursue with such intent, any wild goose, or brant, or wild duck, or any other water-fowl, or destroy or disturb the eggs or nests of any birds named in this section, excepting in the waters of Lake Erie, and estuaries and bays thereof; no person shall in any place catch, or kill, or injure, or pursue with such intent, any wild duck on Sunday, Monday or Tuesday of any week, between the first day of September and the tenth day of April of any year; provided, that nothing herein shall be construed to authorize the catching or killing, or pursuing with such intent, any wild duck on Sunday. No person shall shoot, or hunt, or trap any birds or game, or have in possession in the open air for such purpose the implements for the shooting, hunting or trapping of the same, on the first day of the week, called Sunday. No person shall buy, sell or offer for sale, or convey or ship beyond the boundaries of this state, any game killed or captured contrary to the provisions of this section, and any person convicted of any violations of any of the provisions of this act shall be guilty of a misdemeanor, and on conviction punished as hereinafter provided in section 6968. It shall be the duty of prosecuting attorneys to prosecute all violations of this section in their respective counties.

SECTION 2. That section 6961 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
 69G

[House Bill No. 269.]

AN ACT

To amend and supplement section 1707, as amended March 21, 1887, of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1707, as amended March 21, 1887, of the Revised Statutes, be so amended as to read as follows:

Officers of cities.

Cities of second class:
officers.

Sec. 1707. The officers of a city of the second class, except in cities of the second grade of the second class, shall consist of a mayor, a marshal, except as hereinafter provided, a city solicitor, a city commissioner, who shall be superintendent of streets and highways, a treasurer, except as provided in section seventeen hundred and eight, all of which officers shall be chosen by its electors, except as hereinafter provided, and a clerk, who shall be chosen by the council; and in cities of the third grade of the second class, there shall also be a police judge, prosecuting attorney of the police court and clerk of the police court, which officers shall also be chosen by the electors thereof; and the council may, when in its opinion expedient, create by ordinance the office of auditor, civil engineer, sealer of weights and measures, fire engineer, and superintendent of markets, and provide for their election or appointment, and compensation; provided, that the provisions as to marshal shall be subject to the provisions contained in the fourth subdivision of chapter five, of the fifth division of this title; and provided further, that in cities of the third grade of the second class, the council may, when in its opinion expedient, abolish by ordinance the office of marshal.

SECTION 2. That section 1707 of the Revised Statutes, as above amended, be amended and supplemented, with sectional numberings as follows, so as to read as follows:

Officers cities
second grade,
second class.

Sec. 1707d. The officers of a city of the second grade of the second class shall consist of a mayor, a city attorney, a treasurer, except as provided in section seventeen hundred and eight, three city commissioners, to be denominated the board of city commissioners, all of which officers shall be chosen by its electors, except as hereinafter provided, and a clerk, who shall be chosen by the council, a city auditor, and civil engineer, which officers shall be appointed by the board of city commissioners; and the council may, when in its opinion expedient, create by ordinance, the office of sealer of weights and measures, and superintendent of markets, and provide for their election or appointment, and compensation.

Board of city
commissioners:
how appointed;
term, etc.

Sec. 1707d—1. The board of city commissioners provided for herein, shall, in the first instance, be appointed by a commission, a majority of which shall be competent to act, which commission is hereby created for that purpose, and which shall consist of the mayor, and the president of the council of any such city, the probate judge, the county auditor, and the county treasurer of the county in which any such city is situated, one for one year, one for two years, and one for three years, from the date of such appointment respectively, and no more than two of the board of city commissioners so appointed, shall be members of the same political party, and at each annual municipal election occurring after one year from the date of said appointments by the commission, a successor of the member whose term expires shall be elected, by the electors of any such city, to serve for the term of three years, and the members shall serve until their successors are elected and qualified.

Sec. 1707d—2. Each member of such board of city commissioners shall give bond, with at least three sureties, to the satisfaction of the council, in the sum of twenty thousand dollars, conditioned for the faithful performance of his duties, and before entering upon his duties, shall take and subscribe an oath, which shall be indorsed upon his bond, to support the constitution of the United States and of the state of Ohio, to obey the laws, and in all his official actions and judgments to aim only to secure and maintain an honest and efficient administration of public affairs.

Bond, oath,
etc., of mem-
bers of board

Sec. 1707d—3. The members of the board of city commissioners shall devote their entire time and attention to the duties of the office, and shall each receive as compensation, a salary of three thousand dollars per annum, payable in monthly installments, and no expenses or other compensation shall be allowed; and the board of city commissioners may occupy such portion of the city building of any such city as may be necessary for their use.

Duties, salary
etc.

Sec. 1707d—4. The board of city commissioners is hereby authorized and shall have exclusive power to improve, construct, keep in order and repair, clean, and light streets, avenues, sidewalks, gutters, alleys, lanes, parks, public grounds and buildings, wharves, landing places, bridges, market houses and market spaces within the corporation and under the control of such city, levees, sewers, drains, ditches, culverts, streams and water courses, and to provide for the removal of ashes and garbage.

Powers.

Sec. 1707d—5. The board may employ such superintendents, engineers, clerks, laborers and other persons, as it may deem necessary for the execution of its duties, and fix their salaries and compensation; and any such person may be removed by the board at any time.

Employees.

Sec. 1707d—6. The board shall hold not less than four regular daily meetings each week, and two members shall constitute a quorum for the transaction of business; the ayes and nays shall be called, and entered upon a journal, upon the passage of every resolution or order of any kind; and no resolution or order shall be valid unless two votes are recorded in its favor.

Meetings

Sec. 1707d—7. The board shall keep a complete record of all its proceedings; and a copy from its records, certified by the clerk, shall be competent evidence in all courts.

Proceedings.

Sec. 1707d—8. The member of the board having the shortest term to serve shall be the president thereof; and the city auditor shall serve as clerk of said board as a part of his duty.

President of
board

Sec. 1707d—9. When the board deems it advisable to make a contract for the execution of any work, or the purchase of material for matters under its charge, they shall cause to be made a careful estimate of the cost of such work or material; and when such estimate exceeds the sum of five hundred dollars, the board shall proceed as follows:

Contracts:
how let.

1. It shall advertise for bids for the period of two weeks, or if the estimated cost exceeds five thousand dollars, four

weeks, in two newspapers, of opposite politics, published in the corporation, and in one newspaper published in the German language, if there be such paper printed and of general circulation in such corporation published therein.

2. The bids shall be filed with the city auditor, sealed up, by twelve o'clock at noon on the last day, as stated in the advertisement.

3. The bids shall be opened at twelve o'clock at noon on the last day for filing the same, by the city auditor, a member of the board of city commissioners, and the city civil engineer, or any two of them, and publicly read by the officer opening the same, and filed in the office of the city auditor; and shall be reported by the city auditor at the next regular meeting of the board thereafter.

4. Each bid shall contain the full name of every person interested in the same, and shall be accompanied by a sufficient guaranty of some disinterested person, that if the bid is accepted, a contract will be entered into and performance thereof properly secured.

5. If the work bid for embraces both labor and material, they shall be separately stated, with the prices thereof.

6. None but the lowest responsible bid shall be accepted, when such bids are for the labor or material separately; provided, that when the character of the material of the improvement has not been determined upon before the bids are received, the lowest responsible bid for the improvement with the material determined upon after the bids have been received, shall be accepted; but the board may, at its discretion, reject all bids, or it may, at its discretion, accept any bid for both labor and material which may be the lowest aggregate cost of such improvement or repairs.

7. The contract shall be between the corporation and the bidder, and the corporation shall pay the contract price for the work in cash; provided, however, that the contract price may be paid in assessments, as the board, in its discretion, may have previously determined; and suits to recover or enforce such assessments may be brought in the name of the corporation.

8. If two or more bids are equal in the whole, or any part thereof, and are lower than any others, either may be accepted; but in no case shall the work be divided between them.

9. When there is reason to believe there is collusion or combination among the bidders, or any number of them, the bids of those concerned therein shall be rejected.

Sec. 1707d—10. In any cases where assessments are to be made for an improvement, the board shall transmit to council, with its recommendation, a resolution or ordinance, as the case may be, declaring the necessity of such improvement or providing therefor, and at the same time, shall submit to council, an estimate of the cost thereof; upon the passage by council of the resolution or ordinance, it shall be the duty of the board to advertise for proposals in accordance therewith,

Assessments
for improve-
ments: how
made.

for a period of at least ten days, in one or more of the newspapers of general circulation in such city, to do the work or furnish the material required, and the board shall award the contract to the lowest responsible bidder or reject all bids; but no contract shall be awarded to any bidder, the cost of which shall exceed the estimate submitted to council.

Sec. 1707d—11. The board may, at any time, when, in their judgment, the best interests of the city will be subserved, advertise for proposals for the removal of ashes, garbage, and dead animals, and for cleaning the streets, avenues, alleys, lanes, sewers, drains, ditches, culverts, streams and water courses of the corporation under the control of the city; when the board determines to contract for such removal or cleaning, it shall advertise for sealed proposals to perform the work, in some newspaper of general circulation within said city, for a period of ten days, and shall contract with the lowest responsible bidder to perform said contract; and for the faithful performance of the same shall demand such security as, in its judgment, it may deem proper, or may reject any or all such proposals or bids.

May advertise for proposals for removal of garbage, etc.

Sec. 1707d—12. The presiding officer of the board shall execute all contracts, attested by the city auditor and under his seal, in the name of the city, and file them in the office of the board.

Duty of presiding officer as to contracts.

Sec. 1707d—13. Sections twenty-two hundred and seven-teen, twenty-two hundred and eighteen, twenty-two hundred and nineteen, twenty-two hundred and twenty, twenty-two hundred and twenty-one, twenty-two hundred and twenty-two, twenty-two hundred and twenty-four, twenty-two hundred and twenty-five, twenty-two hundred and twenty-six, twenty-two hundred and twenty-seven, of the Revised Statutes of Ohio, are hereby made applicable to cities of the second grade of the second class, as though said sections were in this act repeated.

Certain provisions of Revised Statutes made applicable to cities second grade, second class.

Sec. 1707d—14. The board shall prepare and submit to the city council, on or before the first Monday in April, in each year, an estimate of the cost and expenses, and the amount of taxes necessary to be levied on the tax duplicate, subject to the limitations prescribed in sections twenty-six hundred and eighty-two and twenty-six hundred and eighty-nine a, of the Revised Statutes, for the current fiscal year, for the general purposes of the corporation, for sanitary and street cleaning purposes, for street improvements and repairs, for constructing levees and embankments and keeping the same in repair, for constructing and maintaining bridges, for the erection and repair of market houses and for lighting, watching, and cleaning the same, for erecting, enlarging, improving and repairing halls and public buildings, and for lighting, watching and cleaning the same, for lighting the corporation, for grounds for cemeteries and park purposes, inclosing, improving, embellishing, enlarging, and keeping the same in repair, for the construction and repair of sewers, drains and ditches, and for removing ashes and garbage; and council shall provide for the same in the general tax assessment in accordance with such estimate.

Estimates to be submitted to council, who shall provide for same in general tax assessment.

Annual statement of estimated expenses of board.

Sec. 1707d—15. The board of city commissioners shall furnish to the city council, on or before the first Monday in April, of each year, the following statements:

1. A statement containing an approximate and detailed estimate of the money needed to pay all lawful expenses of the city and its several departments, offices, and institutions, for the current fiscal year; and in calculating the amount of money needed, they shall take into account the money then in the treasury, as well as that collectible in June following, and also the probable proceeds from the tax levy of that year, as they shall estimate the same, as hereinafter required, and all other sources of revenue to the city. They shall be equally careful to avoid surpluses and deficits, and shall treat as means available for current expenses the June and December collections, as soon as, under the laws and usages, they have a right to presume them to be in the treasury, without waiting for their subsequent distribution to the respective funds.

2. A statement estimating the total percentage they deem necessary to be levied in that year, so as to provide sufficient means for paying city expenses for the current fiscal year, and they shall also report in said statement to what funds and in what proportions said total levy should, in their opinion, be apportioned as general or special levies; and the board of city commissioners is hereby authorized to call upon any city officer, or board, for such information, as it may deem necessary to the discharge of its duties, and it is hereby made the duty of such officer, or board, to furnish such information so required.

Reports of certain officers.

Sec. 1707d—16. In all cities of the second grade of the second class, to enable the city commissioners to estimate correctly the levies and apportionments, as provided in the preceding section, the authorities of all the city institutions and all boards for whose wants provision is to be made, shall report to the commissioners, on or before the first Monday of March, in each year, the amount of money needed for their respective wants for the ensuing year; the board of city commissioners shall revise said estimates, and, if deemed proper, shall reduce them, so as to prevent unnecessary expenditure, and bring them within limits fairly proportioned to other expenditures required by the city.

Tax levy to be approved by city commissioners.

Sec. 1707d—17. On or before the tenth day of May, of each year, the council shall determine the percentage to be levied for the several purposes allowed by law upon the real and personal property within the corporation returned on the grand levy, and forthwith submit the same to the board of city commissioners; within ten days after said submission, the board shall return the same to the council with their approval or rejection; in case of rejection, giving their reasons therefor; the board may approve or reject any part or parts thereof, and the parts rejected by said board shall not become valid levies.

When levy for certain purposes may be anticipated.

Sec. 1707d—18. The board of city commissioners may anticipate the tax authorized to be levied for street cleaning purposes, street improvements and for general revenue pur-

poses, by temporary loans; but no loan, including the interest thereon, shall be made in excess of the gross amount of revenue raised by taxation, for expenditures for such purposes during the then current year; and taxes so anticipated, when paid into the treasury, shall be applied first in payment of such loan.

Sec. 1707d—19. The board of city commissioners shall not make any appropriations nor contract debts or obligations of any description for either of the purposes specified in the tax levy, as provided for in section seventeen hundred and seven d—15, exceeding the amount of taxes and revenue from other sources for the current year, received for such purposes; and the money belonging to one fund shall not be transferred to another, nor used for any purpose except that for which it was collected or received.

Limitation of contracts by board.

Sec. 1707d—20. No resolution or ordinance recommended to and amended in council shall take effect until approved by said board of city commissioners; and no resolution or order in which the expenditure of money is involved, or ordinance, resolution or order for the expenditure of money, no contract for the payment of money, or for the granting or extending of any franchise, or creating any right, or for the purchase, lease, sale or transfer of property which shall have passed the council, except such as levying special assessments for improvements, shall take effect until approved by a vote of the board; and for such final approval every such ordinance, resolution, order or contract shall be submitted to the board.

Ordinances and resolutions of council to be approved by board.

Sec. 1707d—21. All plats or maps of lots of grounds in said cities of the second grade of the second class shall be submitted to and approved by the board of city commissioners before said plats can be accepted by the council thereof; and any county recorder who records such map or plat without the same having the approval of said city commissioners indorsed thereon, shall forfeit and pay any sum not more than five hundred dollars nor less than one hundred dollars, to be recovered with costs in a civil action in the name and for the use of the county, by the prosecuting attorney.

Plats and maps.

Sec. 1707d—22. The board of city commissioners shall fix the salaries and compensation of all officers and appointees of cities of the second grade of the second class, not otherwise provided for in section seventeen hundred and seven d—3; and the board shall forthwith, after determining the salaries and compensation of said officers and appointees, transmit a statement thereof to the council.

Salaries.

Sec. 1707d—23. A member of the board of city commissioners may be removed from office for incompetency, inefficiency, neglect of duty or unfaithfulness of trust, by a vote of two-thirds of all the members elected to the council.

Removals.

Sec. 1707d—24. The city auditor shall be appointed for one year, and before entering upon the duties of his office shall give bond to the satisfaction of the board of city commissioners, in the sum of not less than ten thousand dollars, conditioned for the faithful performance of his duties; and

City auditor.

he shall receive such salary, paid at such stated times, as may be provided by the order of the board.

Books, records,
etc., to be de-
livered to city
auditor by
clerk.

Sec. 1707d—25. Upon the appointment of the city auditor, the clerk of the council shall, upon demand, deliver to said auditor, when duly qualified, all the records, books, papers, vouchers and documents in his possession pertaining to the duties of such auditor.

Powers and
duties of city
auditor.

Sec. 1707d—26. The city auditor shall have power to administer oaths, and take affidavits, and such other powers and perform such duties as may be prescribed by law, including those imposed by sections seventeen hundred and fifty-six, seventeen hundred and fifty-seven and seventeen hundred and fifty-eight of the Revised Statutes of Ohio, or by any ordinances of the corporation not incompatible with the nature of his office; he shall be the general accountant of the city, and shall receive and preserve in his office all books, bonds, deeds, leases, contracts, vouchers, documents, plats and papers relating to the property, revenues, debts and credits of the city, and the same shall be subject to the inspection of all persons interested; and he shall keep regular books of accounts showing the transactions of the city with individuals, and the condition of its fiscal affairs; he shall open an account with the city treasurer, in which he shall charge said treasurer with the whole amount of taxes collected, together with all sums derived from other sources, including loans, assessments, rents, fines and licenses, and shall credit him with all orders properly drawn upon and paid by him, which account shall be settled semi-annually on the first day of March and September, and oftener if required by the board of city commissioners.

Disburse-
ments: how
made.

Sec. 1707d—27. No claim against the municipal corporation shall be paid by the treasurer, except upon the warrant of the city auditor, countersigned by the presiding officer of the board of city commissioners; and all boards of trustees, directors, or commissioners, having charge of the expenditures of city funds, except the board of police commissioners, the board of fire commissioners and water-works trustees, shall certify claims against their respective departments to the city auditor for payment; but no warrant shall be drawn for any bill or claim against the city until properly approved, and unless there be money actually in the treasury to pay the same.

Annual report
by city
auditor

Sec. 1707d—28. The fiscal year of the city auditor shall commence on the first day of March, and on or before the third Monday of March, of each year, he shall make and report to the board of city commissioners and the council, an account of all the receipts and expenditures of the city for the preceding fiscal year, stating from what sources the money was received, for what purposes expended, and the exact condition of the several funds, with the bonded and other indebtedness of the city.

Statement of
financial
transactions.

Sec. 1707d—29. The city auditor shall furnish to the board of city commissioners, and the council, on or before the first Monday of April, of each year, the following statements:

1. A statement showing the balance standing to the credit or debit of the several funds on the city balance-sheet at the end of the last fiscal year, immediately preceding said first Monday in April.

2. A statement showing the monthly expenditures out of each fund in the twelve months, and the monthly expenditures out of all the funds in the twelve months of the fiscal year immediately preceding said first Monday in April.

3. A statement showing the annual expenditure from each fund for each year for the five fiscal years preceding said day.

Sec. 1707d—30. The city commissioners may, if necessary, appoint one or more assistants to the city auditor, and fix their salaries and require them to give bond for the faithful performance of their duties; and in the case of the absence or disability of the city auditor the board may appoint some suitable person to perform the duties of the office during such absence or disability.

Board may appoint assistants to city auditor, etc.

Sec. 1707d—31. The city commissioners shall cause to be provided for the city auditor's office a seal, in the center of which shall be the name of the corporation, and around the margin the words, "City Auditor," which seal shall be affixed to all transcripts, orders, certificates, warrants or other papers which it may be necessary or proper to authenticate.

Seal of city auditor.

Sec. 1707d—32. The city attorney shall give bond to the satisfaction of the board of city commissioners, in the sum of not less than twenty-five hundred dollars, conditioned for the faithful performance of his duties, and shall receive such salary, payable quarterly, as may be provided by the order of the board; he shall perform all the duties provided by statute for the city solicitor of cities, and provided by ordinance of any such city of the second grade of the second class for the city solicitor, and in addition thereto, shall act as the legal advisor of and attorney for the board of city commissioners, and all other boards of the corporation.

Bond of city attorney.

Sec. 1707d—33. When a vacancy exists in the office of city attorney, the board of city commissioners shall fill said vacancy until the next annual municipal election, when a successor shall be elected for any unexpired part of the term, unless the vacancy occurs within ten days of such election, in which event the appointment shall be for the unexpired term; provided, that if more than sixty days intervene between the next annual municipal election and the time said office becomes vacant, the council may, in its discretion, require that a special election be held to fill the vacancy, of which election the mayor shall give public notice for at least ten days.

Vacancy in office of city attorney: how filled.

Sec. 1707d—34. The civil engineer shall be appointed for one year, and shall perform such duties as may be prescribed by the board of city commissioners, or by any ordinances of the corporation not incompatible with the nature of his office; he shall receive as compensation for his services, such salary as may be provided by the order of the board of city commissioners.

Civil engineer.

Provisions of
Revised Stat-
utes in con-
flict with this
act suspended.

Sec. 1707d—35. That any provisions of the statutes of this state in force when this act takes effect, which conflict with any provisions of this act, shall be held to be suspended by the latter, as to the matter of inconsistency, and not otherwise, as to cities of the second grade of the second class.

Repeal.

SECTION 3. That section seventeen hundred and seven, as amended March 21, 1887, and section seventeen hundred and seven c, passed March 21, 1887, of the Revised Statutes, be and the same are hereby repealed.

SECTION 4. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.

70G

[House Bill No. 425.]

AN ACT

Making an appropriation for the girls' industrial home.

A appropriation
for girls' in-
dustrial home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there is hereby appropriated, out of any moneys in the general revenue fund not otherwise appropriated, the sum of four hundred dollars (\$400), to be used for ordinary repairs at the girls' industrial home.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.

71G -

[Senate Bill No. 3.]

AN ACT

To amend section 2790 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2790 of the Revised Statutes of Ohio be amended so as to read as follows:

Duties of dis-
trict assessor;
his description
and valuation
of real estate.

Sec. 2790. It shall be the duty of each district assessor to make out from the maps and descriptions furnished him by the county auditor, and from such other sources of information as shall be in his power, a correct and pertinent description of each tract and lot of real property in his district; and when he shall deem it necessary to obtain an accurate description of any separate tract or lot in his district, he may require the owner or occupier thereof to furnish the same, with any title papers he may have in his possession; and if such owner or occupier, upon demand made for the

same, shall neglect or refuse to furnish a satisfactory description of such parcel of real property to such assessor, he may employ a competent surveyor to make out a description of the boundaries and location thereof, and a statement of the quantity of land therein, and the expense of such survey shall be returned by such assessor to the auditor of his county, who shall add the same to the tax assessed upon such real property; and it shall be collected by the treasurer of the county with such tax, and when collected, shall be paid, on demand, to the person to whom the same is due; and he shall, in all cases, from actual view, and from the best sources of information within his reach, determine as near as practicable the true value of each separate tract and lot of real property in his district, according to the rules prescribed by this chapter for valuing real property; and he shall note in his plat-book, separately, the value of all dwelling-houses, mills, and other buildings, which exceed one hundred dollars in value, on any tract of land or plat of land not incorporated, or on any land or lot of land included in any municipal corporation, which shall be carried out as a part of the value of such tract; he shall also enter on his plat-book the number of acres of arable or plow land, the number of acres of meadow and pasture land, and the number of acres of wood and uncultivated land, in each tract, as near as may be. And he shall at the same time ascertain as near as may be, from the owner or agent, the amount of the mortgage indebtedness upon each tract and lot in his district, and report the aggregate amount of the same to the county auditor. And he shall also, at the same time, or before he makes his returns to the county auditor, deliver to the owner or agent of any tract or lot in his district (by mail or otherwise, if known, and a resident of the district), a true and certified copy of the valuation of each tract or lot, also of any building or buildings thereon, so valued by him. The blanks necessary for the purposes aforesaid shall be furnished by the county auditor, and paid for by the county commissioners out of the county treasury.

SECTION 2. That section 2790 of the Revised Statutes of Ohio is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 20, 1890.

72G

[House Bill No. 17.]

AN ACT

To repeal an act entitled "an act to regulate by taxation the use of fishing nets in Lake Erie and the reservoirs of the state," passed April 15, 1889 (O. L., vol. 86, page 352).

Repeal.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act to regulate by taxation the use of fishing nets in Lake Erie and the reservoirs of the state," passed April 15, 1889 (O. L., vol. 86, page 352), be and the same is hereby repealed.

SECTION 2. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 20, 1890.

73G

[House Bill No. 52.]

AN ACT

To amend "an act to secure prompt payment of wages of certain employes twice in each month," passed April 14, 1888 (vol. 85, page 251), as amended March 27, 1889 (vol. 86, page 145.)

Wages of cer-
tain employes
to be paid
twice a month.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every incorporated manufacturing, mining, mercantile, street railroad, telegraph, telephone, express, water companies, and construction companies, or contractors building railroads, shall pay, in lawful money, or by check, draft or order payable in lawful money, at sight or on demand, on a bank located at a distance not greater than eight miles from the place where said labor was performed twice in each month, each and every employe engaged in its business the wages earned by such employe to within ten days of the date of said payment; provided, however, that if at any time of payment any employe shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter, during their regular business hours, upon demand; and provided, further, that said employer may retain at each payment, any amount said employe may order withheld from his or her wages for rent, powder, tools, tool-sharpening, or oil due said employer.

Penalty for
violation.

SECTION 2. Any corporation mentioned in section one of this act, violating any provisions of this act, shall be punished by a fine not exceeding one hundred and not less than fifty dollars. Justices of the peace, mayors and police judges shall have final jurisdiction in all cases arising under the provisions of this act; and a corporation shall be notified by warrant to be served upon the president, secretary, treasurer, or managing agent thereof; provided, that the defendant shall be entitled, on demand, to a trial by jury. If such prosecution be before a justice of the peace, and a trial by

jury be not waived, the said justice shall issue a venire to any constable of the county, containing the names of sixteen electors of the county to serve as jurors to try such case, and make due return thereof. Each party shall be entitled to two peremptory challenges, and shall be subject to the same challenges as jurors are subject to in criminal cases in the court of common pleas. If the venire of sixteen names be exhausted without obtaining the required number to fill the panel, the justice may direct the constable to summons any of the bystanders to act as jurors; but costs shall not be required to be advanced or paid by a person or an officer authorized or required by statute to prosecute such cases; and if the defendant be acquitted, or if he be convicted, and committed to jail in default of payment of fine and costs, the justice, mayor, or police judge before whom the case was brought, shall certify such costs to the county auditor, who shall examine, and, if necessary, correct the account, and issue his warrant to the county treasurer in favor of the respective officers to whom costs are due for the amount due to each; provided, complaint for such violation is made within thirty days from date thereof; providing, that in pursuance of and under this act, there shall not be more than one conviction of the same corporation during any two weeks, and it shall be the duty of the inspector of shops and factories to enforce the provisions of this act.

As to trial under this section.

SECTION 3. Said act, passed April 14, 1888 (vol. 85, page 251), as amended March 27, 1889 (vol. 86, page 145), be and the same is hereby repealed.

SECTION 4. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.

74G

[House Bill No. 153.]

AN ACT

To amend section 2660 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two thousand six hundred and sixty be amended to read as follows:

Sec. 2660. The council shall have power to form road districts within the limits of the corporation, and when contiguous territory is attached to the corporation for road purposes, such power shall extend to the territory so attached; and it shall be the duty of the council to provide by ordinance for the election of a street commissioner, or when more than one district is formed, one commissioner for each district, and prescribe his duties and fix his compensation. Pro-

Road districts and street commissioners.

vided that this act shall not apply to cities or villages which now elect street commissioners.

SECTION 2. Said original section 2660 is repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 20, 1890.

75G

[House Bill No. 187.]

AN ACT

To amend section 6547 of the Revised Statutes.

Trial and its incidents:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6547 of the Revised Statutes of Ohio be so amended as to read as follows:

Jury may be demanded.

Sec. 6547. In all civil actions, after the appearance of the defendant and before the court shall proceed to inquire into the merits of the cause, either party may demand a jury to try the action, which shall be composed of six good and lawful men having the qualifications of electors, unless the parties shall agree on a less number; provided, however, that in actions of forcible entry and detainer, the party demanding the jury shall first deposit with the justice a sum of money sufficient to pay the jury fee.

Fee of jury to be deposited.

SECTION 2. That said original section 6547 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 20, 1890.

76G

[House Bill No. 271.]

AN ACT

To amend section 4030 of the Revised Statutes of Ohio, as amended April 11, 1888 (85 vol., p. 192).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4030 of the Revised Statutes of Ohio, as amended April 11, 1888 (85 v., p. 192), be so amended [as] to read as follows:

Yearly enumeration of school youth.

Sec. 4030. There shall be taken in each district, annually, during the two weeks ending on the fourth Saturday in July, an enumeration of all unmarried youth, noting sex, be-

tween six and twenty-one years of age, resident within the district, and not temporarily there, designating also the number between six and eight years of age, the number between eight and fourteen years of age, the number between fourteen and sixteen years of age, the number between sixteen and twenty-one years of age, and the number residing in the Western Reserve, the Virginia military district, the United States military district, and in any original surveyed township or fractional township to which belongs section sixteen, or other land in lieu thereof, or any other lands for the use of public schools, or any interest in the proceeds of such lands.

SECTION 2. That section 4030 of the Revised Statutes, as amended April 11, 1888, be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.

77G

[House Bill No. 306.]

AN ACT

To authorize the council of any incorporated village within this state, which, at the last federal census had, or which at any subsequent federal census may have, a population of 1,046, to borrow money to extend the sewerage system, and to construct and repair the roadways and footwalks of any such village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village within this state, which, at the last federal census had, or which at any subsequent federal census may have, a population of not less than ten hundred and forty (1,040), nor greater than ten hundred and fifty (1,050), be and the same is hereby authorized to borrow money, not exceeding fifty thousand dollars, for the purpose of extending the sewerage system and for constructing and repairing the roadways and footwalks in any such village, and the council of any such village is hereby empowered to issue bonds of the village for the money so borrowed; said bonds to bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and said bonds shall be of such denominations, and shall mature at such times as the council may determine; provided, said bonds shall not be sold for less than their par value.

Councils of certain villages authorized to borrow money to extend sewerage system, etc.

May issue bonds; interest; denomination, etc.

SECTION 2. The said bonds shall not be issued by the council until the question shall have been first submitted to a vote of the qualified electors of any such village at a general election, or a special election, of which not less than ten days' notice shall be given by publication in some newspaper of general circulation in the village; and at said election all those desiring to vote in favor of issuing said bonds shall

Question to be submitted to vote; notice of election; form of ballot, etc.

have written or printed on their ballots the words: "Issue of bonds for sewerage and construction and repairs of roadways and footwalks—Yes;" and all voters desiring to vote against said issue of bonds shall have written or printed on their ballots the words: "Issue of bonds for sewerage and construction and repairs of roadways and footwalks—No;" and if a majority of said votes cast at such election be in favor of the issue of such bonds, then the council may proceed as authorized in section (1) one of this act, and not otherwise.

Levy of tax.

SECTION 3. Providing the authority to issue said bonds is ratified by the electors of any such village, as provided for in section two (2) of this act, the council is hereby empowered to levy such amount of tax upon the taxable property of the village, in addition to other taxes authorized by law, as may be necessary to pay the interest and principal of such bonds when the same become due, said tax to be levied and collected in the manner as taxes for general purposes are levied and collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 20, 1890.

78G

[House Bill No. 391.]

AN ACT

To authorize county commissioners of counties having a certain population to refund moneys collected on forfeited recognizances.

Forfeited recognizance; when commissioners in certain counties may refund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of all counties containing a population at the last federal census of thirty-five thousand five hundred and twenty-six (35,526), or which at any subsequent census may have, are authorized to refund such part of moneys collected on forfeited recognizances in criminal cases when the principal thereon has been convicted and sentenced to the penitentiary for the offense named in the recognizance.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 20, 1890.

79G

[House Bill No. 197.]

AN ACT

To reimburse Frank S. Sowers, for money expended by him as regimental quartermaster of the third Ohio cavalry, for transportation and subsistence for himself in procuring clothing, camp equipage, etc., for the soldiers of said regiment, before the said regiment had been mustered into the federal service.

WHEREAS, While the soldiers of the third regiment of Ohio cavalry were encamped at Monroeville, Ohio, and before they were mustered into the federal service and were yet under the control and command of the governor of Ohio; and

Preamble.

WHEREAS, The said soldiers remained in camp at said place from the last days of August to about the first of October, 1861, without any camp equipage, and in need of clothing and other supplies; and

WHEREAS, The said soldiers becoming discontented because of the need of bedding, clothing, tents, etc., and said Frank S. Sowers, then acting quartermaster of the regiment, being ordered and detailed by Colonel Zahm, then commanding the regiment, to proceed to Columbus, Ohio, or Cincinnati, Ohio, or to Washington, D. C., to procure of the state authorities the necessary and needed clothing, bedding, camp equipage, etc., all of which said Sowers did as ordered; and

WHEREAS, No transportation or subsistence being furnished said Sowers, he was compelled and did pay out of his own means and money, in railroad fare and subsistence, in traveling from Monroeville to Columbus, and to Cincinnati, and to Washington, the sum of \$236.20; and

WHEREAS, Frank S. Sowers asks the state of Ohio to reimburse him for the said expenditure made by him in its behalf; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of two hundred and thirty-six dollars and twenty cents (\$236.20), which is hereby ordered to be paid to said Frank S. Sowers, in full payment of said claim, and the auditor of state is directed to issue his warrant on the treasurer for said sum.

Appropriation
to reimburse
Frank S.
Sowers.

SECTION 2. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.

[House Bill No. 233.]

AN ACT

To authorize the electors of any incorporated village having at the last federal census, or which at any future federal census may have, a population not less than fifteen hundred and thirty-five, nor greater than fifteen hundred and forty, to vote on the proposition of boring for natural gas.

Authorizing certain corporations to submit to vote proposition of boring for natural gas.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the duly qualified electors of any incorporated village having at the last federal census, or which at any future federal census may have, a population not less than fifteen hundred and thirty-five, nor greater than fifteen hundred and forty, be and they are hereby empowered to vote upon the proposition of boring for natural gas.

Duty of council; ballots, etc.

SECTION 2. That for the purpose of taking such vote, the village council is directed to give due notice of the time and place of holding such election, which may be upon the day of any election provided for by the laws of the state, or upon any day fixed and named by council; and in such notice said council shall direct said electors in favor of said proposition to place upon their ballots "natural gas—yes," and those opposed "natural gas—no;" and if, upon the return of said election, it shall appear that two-thirds of those voting on said proposition are in favor of natural gas, then said council shall declare the same carried, and shall proceed to bore for said gas at such place and in such manner as they deem best and most expedient.

May issue bonds in payment of expenses.

SECTION 3. That for the purpose of defraying the expenses which may arise from boring for such gas and utilizing any gas that may be procured thereby, said council is hereby empowered to issue bonds of said village in any sum not exceeding seven thousand (\$7,000) dollars, payable at such periods, not to exceed ten years from date of issuance, as said council may deem best, and to bear interest at the rate of six (6) per cent., payable semi-annually, and to be disposed of according to law in denominations of five hundred (\$500) dollars; and for the purpose of paying said bonds and interest when the same become due, said council is empowered to levy a tax upon all the taxable property of said village.

SECTION 4. That this act shall take effect and be in force from and after the date of its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

[House Bill No. 301.]

AN ACT

To authorize the council of certain cities of the third grade, second class, to issue bonds for fire department purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city having at the last federal census, or which at any subsequent federal census may have a population of not more than 15,840 nor less than 15,835, are hereby authorized to issue bonds in any sum not exceeding the sum of thirteen thousand (\$13,000) dollars, in such denomination as the said council may deem fit, bearing interest at a rate not exceeding five per cent. per annum, payable annually, or semi-annually, and redeemable at a period not exceeding ten years from the day of issue. Said bonds shall be signed by the mayor and countersigned by the clerk of said city, and shall be made payable at such place as the council of such city shall, by ordinance, provide; and said bonds shall not be sold for less than their par value, and may be issued and sold at such times, and in such amounts as the council of such city shall provide by ordinance.

Certain cities authorized to issue bonds for fire department purposes; amount; denomination; interest, etc.

SECTION 2. The money arising from the sale of said bonds shall be used by the council of such city for the purpose of constructing an engine house, and for the purpose of purchasing and erecting a fire alarm telegraph system for such city, and for no other purpose.

Application of proceeds.

SECTION 3. For the purpose of paying said bonds, and the interest thereon as they may become due, the council of such city is authorized to levy a tax upon all the taxable property within such city, in such amount as will be necessary to pay said bonds and interest, as the same become due.

Levy of tax

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.

82G

[House Bill No. 351.]

AN ACT

For the relief of the heirs of Sheriff Lynch, of Alpena, Michigan.

WHEREAS, The legality of the appropriation under joint resolution passed April 4, 1888 (O. L., 85, p. 589), is now questioned; and

Preamble.

WHEREAS, James E. Campbell, governor of the state of Ohio, in pursuance of the authority conferred upon him as governor under said resolution, has approved the claim of George W. Gardner, trustee for the children of Sheriff Lynch, of Alpena, Michigan, to one thousand dollars, as a part of

the reward offered by J. B. Foraker, then governor of the state of Ohio, in pursuance of joint resolution, passed February 15, 1887 (O. L., 84, p. 442); therefore,

Appropriation
for relief of the
heirs of
Sheriff Lynch.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of one thousand dollars, for the payment of amount due George W. Gardner, as trustee for the children of said Sheriff Lynch; and the auditor of state is hereby authorized to draw his warrant on the treasurer of state for said amount of one thousand dollars in favor of said George W. Gardner, trustee as aforesaid.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

83G

[House Bill No. 412.]

AN ACT

To authorize county commissioners in counties having a population at the last federal census of forty-two thousand five hundred and seventy-nine, to issue bonds.

Commissioners of certain counties authorized to issue bonds to cover deficiencies in county fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners in counties having a population at the last federal census of forty-two thousand five hundred and seventy-nine, be and they are hereby authorized to issue the bonds of said counties, in amount not to exceed forty thousand dollars, with interest coupons attached thereto, interest payable semi-annually, in sums not less than five hundred dollars, principal and interest payable at the office of the treasurer of said county; said bonds to be due and payable at such times as said commissioners of said counties may, in their discretion, deem for the best interest of said counties; provided, that none of said bonds shall be due and payable at a longer period than three years from the date of their issue; said bonds to bear a rate of interest not exceeding six per centum per annum; said bonds to be sold under the statute governing the advertising and sale of bonds and [shall] not be sold for less than their par value and accrued interest, if any, and the proceeds thereof to be placed in the county treasury to the credit of the county fund to cover deficiencies, and to be issued in anticipation of the levy for said county fund.

Mode of issue.

SECTION 2. The said bonds shall be issued and signed by said commissioners, or a majority, and countersigned by the county auditor, who shall keep and preserve a record of the bonds so issued, and said bonds shall be numbered consecutively, and be made negotiable.

SECTION 3. This act to take effect and be in force on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.

84G

[House Bill No. 433.]

AN ACT

To authorize any municipality which at the last federal census had a population of 3,899, or which at any subsequent federal census may have a population not less than 3,894, to issue bonds for the purpose of providing said municipality with a system of sewerage.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any municipality which at the last federal census had a population of 3,899, or which at any subsequent federal census may have a population not less than 3,894, be and the same is hereby authorized to issue the bonds of said municipality in any sum not exceeding fifty thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of providing said municipality with a system of public sewerage.

Authorizing certain municipalities to provide a sewerage system.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said municipality; said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council of said municipality, best subserve the negotiation and sale thereof. The principal and interest of said bonds shall be payable at such place and at such times as the said council may determine by ordinance, within a period not exceeding twenty-five years; and said council is hereby authorized to levy a tax upon all the taxable property of said municipality, not exceeding two mills on the dollar in any one year, to pay the amount of said bonds and interest.

Bonds: interest; levy for payment, etc.

SECTION 3. The funds realized from the sale of said bonds shall be used by said council for the purpose of constructing and paying for a system of sewerage for said municipality.

Disposition of proceeds from sale of bonds.

SECTION 4. That an act entitled "an act to authorize the village council of the incorporated village of Marion, Marion county, to issue bonds for the purpose of providing said village with a system of sewerage," passed April 16, 1888 (O. L., v. 85, p. 548), is hereby repealed.

Repeal.

SECTION 5. This act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.

85G

[Senate Bill No. 46.]

AN ACT

To enable certain mutual fire insurance associations to organize as mutual fire insurance companies.

Mutual fire insurance associations authorized to organize as companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any mutual fire insurance association organized under section 3686, now doing business and now having the number of policies and amount of insurance in force and the amount of assets required in order to organize a mutual fire insurance company, may reorganize as such mutual fire insurance company in the following manner: The board of trustees of such association shall give notice, by publication in a newspaper of general circulation, and published in the county wherein its principal office is situated, at least three consecutive weeks before such application be made, of their intention to so organize; and shall thereupon make application to the superintendent of insurance respecting their desire to assume the requirements of all the laws governing mutual fire insurance companies organized and doing business under the laws of Ohio, setting forth the amount of insurance carried, the number of policies in force, the amount of its assets and liabilities; and if said superintendent of insurance shall be satisfied, by an examination, or otherwise, of the condition of such association, that at the date of the passage of this act it possessed the required amount of assets, and the number and amount of policies in force required to organize a mutual fire insurance company, he shall so certify, upon a certificate of incorporation, containing the requisite statements required to incorporate a mutual fire insurance company, which certificate, after having been duly executed, shall be delivered to the secretary of state, who shall record the same, and issue his certificate of incorporation as in other cases for change of name, capital or location of an incorporated company, charging only such fees therefor as authorized by law in other cases for change in capital or location of company.

Rights of policy holders: how affected.

SECTION 2. Thereafter the business of such fire insurance association shall be conducted as and be subject to all laws governing mutual fire insurance companies; and all members of said association shall be members of said mutual fire insurance company, to the time of the expiration of [or] cancellation of their policies, and entitled to all the benefits as such, precisely as if original members of such company, without exchanging policies or contracts, and entitled to all the benefits as members of said company precisely as if original members of said company.

Policies; by laws, etc.

SECTION 3. After such change in the plan of insurance by such association, and the organization of such mutual fire insurance company, all policies thereafter issued shall be in the name and by the authority of such mutual fire insurance company, and the policies theretofore in force, and the by-laws, rules and regulations of such association, if not in conflict with the laws governing mutual fire insurance companies, shall be and remain in full force and effect until the same

shall have terminated or been lawfully changed by said company or its board of directors, as authorized by law.

SECTION 4. This act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
86G

[Senate Bill No. 85.]

AN ACT

To authorize the board of public improvements in cities of the first grade of the first class to construct viaducts within the corporation limits thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the first grade of the first class, the board of public improvements, in addition to the powers already possessed by it, with reference to streets, bridges and other public improvements, shall have the power to construct within the limits of such corporation, viaducts, and elevated roads and footways over, along and across streets, alleys, highways, railroads, creeks and other public or private property for the purpose of providing against overflow from high water and the dangers of grade crossings of steam railways.

Authorizing the board of public improvements in certain cities to construct viaducts.

SECTION 2. Said board of public improvements shall declare by resolution the necessity of such improvement or improvements, and give notice thereof as required of council in section 2304 Revised Statutes; the term "property abutting" therein to include property abutting upon any street used, crossed or covered by such improvement; and said board shall carry out and be governed by the provisions of said section 2304, and any duty therein required to be done or performed by council or any other board, shall devolve upon and be performed by the said board of public improvements. Said board of public improvements shall have full and final authority in any such improvement, without the necessity of the concurrence of council or any other board, to make such change or changes in the grade of any streets, avenues, alleys and highways used, crossed, or covered by such contemplated improvement, and to change, alter, widen, vacate and reconstruct any streets, avenues, alleys and highways in the line of, or adjacent to such contemplated improvement as it may deem advisable to best conform the same to such contemplated improvement, and such changes shall be shown in the plans and profiles provided in said section 2304.

Powers and duties of board as to improvements; provisions of statutes by which governed, etc.

SECTION 3. The owner of a lot or tract of land bounding or abutting upon any such improvement or upon any street used, crossed or covered in whole or in part thereby, claiming damages by reason of such improvement, or compensation for any property taken for such improvement, shall file his

Damages: how claims for proceeded with.

claim for damages and compensation as provided in section 2315 Revised Statutes, or shall be deemed to have waived the same, and be barred as therein provided from filing his claim or from receiving damages and from claiming or receiving compensation for any property so taken; and all other questions pertaining to such claims for damages and compensation, and inquiry as to the amount thereof, shall be governed by the provisions of law now applicable to claims for damages, as provided in title 12, division 7, chapter 4, subdivision 2, Revised Statutes, except that in all cases concerning the class of improvements herein provided for the board of public improvements shall take the place and authority therein of council; and provided, that all awards for damages and compensation upon such inquiry shall be paid or secured to be paid as provided in sections 2247 and 2248, Revised Statutes; and provided further, that the amount of damages and compensation, as aforesaid, and costs awarded in such cases, shall be paid out of the fund herein provided. No damages or compensation shall be awarded to the municipal corporation for the appropriation by it of any streets, highways, alleys, bridges, or other property belonging to said municipality that may be necessary for the construction, operation or use of the improvement herein contemplated.

When board
may condemn;
proceedings
therefor.

SECTION 4. Said board of public improvements shall have power to purchase or appropriate, condemn and enter upon for the purpose of constructing such viaducts and any approaches thereto, and for the purpose of widening or altering the line of any street, avenue, alley or highway used, crossed or covered by such viaduct and its approaches, and for any other purposes in connection therewith, any real estate, easement, franchise, right or other property within the corporate limits of any city of the first grade of the first class, which said board of public improvements shall deem necessary for such uses and purposes; and when said board shall determine upon any such appropriation, a resolution to that effect shall be passed by the said board of public improvements, and entered upon its minutes, declaring the intention to appropriate such property, and the necessity therefor, with a pertinent description of the property to be appropriated, which resolution shall be certified to the solicitor of such city, whose duty it shall then be to apply, in writing, in the name of such city, to the court of common pleas of the county, or a judge thereof in vacation, or to the probate court of the county, for the impaneling of a jury to assess the compensation to be allowed the owners of the property appropriated in the manner provided in chapter 3, title 12 division 7 of the Revised Statutes, for appropriating private property to the use of municipal corporations, and all proceedings hereunder, except as herein otherwise provided, shall be governed by the provisions of said chapter 3, title 12, division 7; provided, that if such proceedings are commenced in the probate court of said county, neither party shall have the right to appeal, but either party may institute proceedings in error, as provided by law. And the amount of purchase price of any property purchased or compensation adjudged

to any owner or owners, together with the costs and expenses of such proceedings, shall be paid out of the fund herein provided.

SECTION 5. Such viaducts or elevated road and footways shall be so constructed as to secure an elevation and headroom over any steam or street railroad crossed or covered, in whole or in part, by such improvement, of at least nineteen (19) feet, except the approaches thereto, which shall be constructed in such manner as said board shall determine to be best calculated to secure accessibility to such viaduct, and to promote public convenience and safety in the use thereof. Said board shall have the power, for the purpose of constructing such viaduct and the approaches thereto, to require the tracks of any street railroad using any such street to be changed, altered or relaid, to conform to changes or alterations in the line of any such street hereinbefore authorized, at the expense of the owner of such railroad or railroads. If such owner of any street railroad fail to comply with the requirement as to changing, altering and relaying the tracks [tracks] thereof, said board of public improvements shall have power to do said work and recover the expense thereof from such owner in an action in the name of the city. Said changes or alterations may be shown in the plans and profiles provided for by section 2 hereof, and notice thereof shall be served upon the owner of such street railroad in the same manner and with like purposes and like effect as is provided in section 2 and section 3 hereof, as to the owners of abutting property.

Elevation of viaduct, approaches, etc., how constructed.

May require railroad to change, alter or relay track.

SECTION 6. In making such improvements the board of public improvements shall be governed by the provisions of section 2303 of the Revised Statutes, except that the said board of public improvements shall have and exercise all the powers and perform all the duties of council, in the prosecution of said work. Said board shall, as to all the improvements, acts, and things hereinbefore authorized, also have the powers conferred upon the council of municipal corporations by section 2263 Revised Statutes, and other provisions of law relating to streets, bridges, and other public highways in municipal corporations; it being the intent and meaning hereof that in all improvements provided for by this act, and in the exercise of any and all powers hereby granted, it shall not be necessary to have the action or concurrence of council, or of any other board or officer in any such proceedings; and that said board shall possess, in addition to the powers hereby specifically granted, the powers already possessed by council or other municipal body or officer, as to streets, bridges and other public highways, to further effectuate and carry out the purposes of this act.

General powers of board.

SECTION 7. In order to provide a fund for the construction of any viaduct or elevated road and footway, under the provisions hereof, and for carrying out the several provisions of this act, the said board of public improvements shall be authorized to issue the bonds of such city to an amount not to exceed in the aggregate three hundred and fifty thousand

Bonds: ~~may issue~~ amount; interest; time to run, etc.

dollars in the name of said city, and under the corporate seal thereof, for the purpose of such contemplated improvement. Said bonds shall be made payable in not less than twenty nor more than thirty years from the date of their issue, and shall bear interest at a rate not exceeding four per cent. per annum; said bonds shall be signed by the president of said board, and attested by the city comptroller, and shall be secured by the pledge of the faith of the city, and a tax which it shall be the duty of the council of said city annually to levy upon all taxable property of such city, and certify the same to the county auditor upon a certificate to that effect from the said board of public improvements as to the amount necessary to pay the interest thereon, and to provide a sinking fund for the final redemption of said bonds. Said taxes shall be in addition to the amounts now authorized to be levied for municipal purposes.

Shall advertise
for bids.

SECTION 8. Said board of public improvements shall receive bids for said bonds after advertising the same for sale once per week for four consecutive weeks on the same day of the week in some newspaper of general circulation in said city, and shall sell the same for not less than the par value thereof, with accrued interest, to the highest bidder. The money arising from the sale of said bonds shall be placed in a fund called "the viaduct fund." A careful account of the condition of said fund shall be separately kept by the comptroller of said city.

SECTION 9. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

87G

[Senate Bill No. 133.]

AN ACT

To provide an official stenographer for certain counties therein described.

Official stenog-
raphers -
authorized to
be appointed
in certain
counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all counties having a population of not more than forty-nine thousand nor less than forty-two thousand, and also in counties having a population of not less than forty thousand four hundred and eighty nor more than forty thousand and five hundred (40,500) by the federal census of 1880, or which at any subsequent federal census may have such populations, the court of common pleas may appoint one official stenographer for such county, who shall hold his office for the term of three years from and after the date of his appointment, and until his successor be appointed and qualified, unless he shall be removed by the court for the neglect of duty, misconduct or incompetency. Such official stenographer shall take an oath that he will faithfully discharge the duties

of his office; and he shall receive a salary of one thousand dollars per annum, payable in equal monthly installments out of the county treasury, which salary shall be in lieu of all per diem fees in the circuit, common pleas, and probate courts; and it shall be the duty of the auditor of such counties to issue warrants on the treasurer for the payment of said salary out of the general fund, upon presentation to him of a certified copy of the journal entry of the appointment of said official stenographer.

SECTION 2. It shall be the duty of such stenographer, unless waived by the parties, to make, or cause to be made, accurate stenographic notes of the testimony of witnesses, the charge of the court to the jury, all opinions rendered, and such other oral proceedings as the court or the parties may direct, in all cases actually tried in the circuit, common pleas, and probate courts, to the court or jury, the short-hand notes so taken to be the property of the county, and carefully preserved in the office of such stenographer. It shall also be the duty of such stenographer to make, or cause to be made, at the request of either party, his attorney, or the court, an accurate transcript into long-hand of the notes so taken in any case, to be paid for forthwith by the party or parties ordering the same, but no transcript of the notes into long-hand shall be paid for out of the county treasury in any case, unless such transcript shall be ordered made by the judge trying the case, for his own use, and, in criminal cases, by the prosecuting attorney. Such stenographer shall also, without extra compensation, take from the dictation of the court such short-hand notes as may be required in preparing opinions and charges to juries.

Duty of stenographers.

SECTION 3. Such stenographers shall receive, for making such transcripts of said notes into long-hand, eight cents per folio of one hundred words, and when more than one such transcript shall be ordered at the same time, the fee for making each additional transcript shall be one-third the fee allowed for the first copy. And in every case reported in said courts, there shall be taxed for each day's services of such stenographer a fee of four dollars, to be collected as other costs in the case, and, when so collected, to be paid quarterly into the treasury of the county, by the clerk of the court.

Compensation.

SECTION 4. Such stenographer shall have his office in the court house of the county, and shall have power to take and certify depositions in any of the courts in this state, and may be appointed referee to take and report proof in causes pending in any of the courts in this state, and in taking such depositions and proof, he shall have power to swear witnesses, and for services under this section shall be entitled to receive ten cents per folio of one hundred words.

Office.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 24, 1890.

88G

[Senate Bill No. 147.]

AN ACT

To authorize cities of the second grade of the first class to issue bonds for the payment of awards made for lands appropriated to open a street in any run valley where the same was deemed necessary to preserve the public health by drainage or sewerage, in advance of making a special assessment therefor upon lands benefited thereby.

Cities second grade, first class, authorized to issue bonds in advance of special assessment for certain improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the second grade of the first class shall, for the purposes specified in sections 2263 and 2264 of the Revised Statutes of Ohio, have power to issue the bonds of the corporation for any sum, not exceeding in the aggregate one hundred and fifty thousand dollars (\$150,000.00), agreeable to the provisions of section 2705 of said Revised Statutes, save that the bonds may be issued before instead of after the special assessment therein mentioned is made.

SECTION 2 Said bonds, except as indicated in section 1 of this act, shall in all other respects conform to the requirements of chapter 2, division 9, title 12, of the Revised Statutes of Ohio.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

89G

[Senate Bill No. 158.]

AN ACT

To authorize the council of certain villages to issue bonds for the purpose of purchasing a suitable site and erecting thereon a building containing a town hall.

Authorizing certain villages to issue bonds for building town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any village, situated in a county containing a city of the first grade of the first class, which has been heretofore specifically empowered by a special act of the legislature to issue bonds for the purpose of purchasing a suitable site and erecting thereon a building containing a town hall and offices for the officers of the corporation, and said act has been found to be unconstitutional because of conferring corporate powers by special act, that the village council of any such village is hereby authorized to issue the bonds of the said village, not exceeding in amount \$17,000.00, to sell the same and use the proceeds thereof in purchasing a suitable site and erecting thereon a building containing a town hall and offices for the officers of the corporation.

Amount of bonds; when payable; interest, etc.

SECTION 2. Said bonds shall be issued in such an amount, not exceeding \$17,000.00, in such denominations and payable at such time or times as said council shall determine. They shall bear interest at a rate not exceeding six per cent.

per annum, payable semi-annually, and shall not be sold for less than the par value thereof; said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall be authenticated by the seal thereof.

SECTION 3. For the payment of said bonds and the interest thereon, said council shall levy a tax, and in addition to the amount otherwise authorized by law, every year during the period the bonds have to run, sufficient in amount each year to pay the bonds falling due that year and the accruing interest. Levy of tax.

SECTION 4. When the total amount of said bonds so to be issued in pursuance hereof shall have been determined by said council, and before any bonds are issued or tax levied, as provided by this act, the question of issuing the bonds shall be submitted to the qualified electors of said village, at an election to be held at such time after the passage of this act as the council may determine, and ten (10) days' notice of said election and submission shall be given by the mayor of said village, by posting said notice in at least five (5) of the most public places in said village; said notices shall state the amount of the bonds to be issued, the purpose for which they are to be issued, and the time and place of holding the election; and if the majority of the electors voting at such election, upon the question of issuing the bonds, vote in favor thereof, then the bonds may be issued and the tax levied. Those voting in favor of the proposition shall have written or printed on their ballots the words: "For the issue of bonds;" and those voting against the same the words, "Against the issue of bonds." Question to be submitted to vote.

SECTION 5. Said election shall be held and conducted in the same manner as is now provided by law for holding municipal elections, and the clerks and judges of said election shall certify to the council of said village the result of the same. If a majority of the electors voting at said election, as provided for in section 4 of this act, vote in favor of said proposition, the council shall proceed to advertise and sell said bonds in the manner as provided for by law for the sale of municipal bonds. Conduct of election.

SECTION 6. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

-90G

[Senate Bill No. 172.]

AN ACT

Authorizing cities of the third grade of the first class to borrow money and issue bonds therefor to supply deficiency in the sanitary fund of such cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the common council of any city of the third grade of the first class is hereby authorized, for the purpose of Certain cities authorized to issue bonds

or deficiency
in sanitary
fund.

supplying the deficiency in the sanitary fund of such city, to borrow a sum of money not exceeding \$30,000.00, and to issue the bonds of such city therefor in denominations of not less than \$500 00, payable in not less than ten years, bearing interest at not to exceed the rate of 4½ per cent. per annum, payable semi-annually, and to credit the proceeds of the sale of said bonds to said sanitary fund; provided, that said amount or any part of it shall not be borrowed nor any of said bonds issued or sold unless and as requested by the board of health of any such city.

Levy of tax
for interest
and principal.

SECTION 2. That the annual interest on said bonds shall be paid from said sanitary fund, and the common council of such city shall provide in the levy for said sanitary fund, on the years said bonds mature, sufficient funds to redeem the same, in addition to the other requirements thereof.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

91G

[House Bill No. 11.]

AN ACT

To prevent an excess of public expenditures over receipts in cities of the second grade of the first class.

Public expen-
ditures: lim-
itation of in
certain cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the second grade of the first class, it shall be unlawful for any executive or other officer of any municipal corporation to contract to pay for or in behalf of such corporation, any money not already in the public treasury, to the credit of the department and not otherwise appropriated or contracted for to which such officer belongs.

Unlawful to
contract in
excess.

SECTION 2. That it shall be unlawful in any such city for any member of any city council, board of fire commissioners, board of police commissioners, board of infirmity directors, board of park commissioners, board of work-house commissioners, board of trustees of cemeteries, or board of trustees of water-works, or any department or board not herein named, now existing or hereafter created of any municipal corporation, to contract, or as member of such board vote to contract, or to incur any expense, or liability whatsoever, on the part of such board, or such municipal corporation, beyond the amount regularly and lawfully set apart for the use of such department. And such boards shall at all times make due allowances for the payment of the salaries of the men regularly employed in their respective departments for the full fiscal year, and in no case, use, or appropriate the same for any other purpose.

Penalty.

SECTION 3. That any executive officer or any member of any official board as aforementioned in this act, violating

any of the provisions of this act, shall be fined in any sum not less than twenty dollars nor more than two hundred dollars, and may be imprisoned in the county jail of such county not more than thirty days, or both, at the discretion of the court.

SECTION 4. That any person convicted under the provisions of this act shall forfeit the office he then holds, and be disqualified for holding any public office for one year thereafter.

Conviction
forfeits office.

SECTION 5. That in any county where there may be a violation of any of the provisions of this act, it shall be the duty of the prosecuting attorney of such county to prosecute the offender according to law.

Duty of prosecuting attorney

SECTION 6. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

92G

[House Bill No. 33.]

AN ACT

To amend sections 3167, 3169 and 3170 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 3167, 3169 and 3170 be amended so as to read as follows:

Partnerships:

Sec. 3167. When a member of any partnership in this state dies, the surviving partner or partners shall, forthwith, upon the appointment of an executor or administrator of the estate of such deceased partner, make application to the probate court of the county in which the partnership existed, upon first giving notice of the time of the hearing of such application to the executor or administrator, for the appointment of three judicious disinterested appraisers, whose duty it shall be to make out, under oath, a full and complete inventory and appraisement of the entire assets of the partnership, including real estate, if there be any, together with a schedule of the debts and liabilities thereof, and to deliver the same to the surviving partner or partners, to be by him or them forthwith filed in the probate court of the county in which such appraisers were appointed; and where the executor or administrator is appointed in a county other than that in which the partnership existed, a certified copy of such inventory and appraisement shall be forthwith filed by such surviving partner or partners in the probate court of such county, and the same shall be docketed under the settlement of the estate of the deceased partner; and when the whole, or any part of the assets of such partnership consists of real estate, such real estate shall be inventoried and appraised upon a separate schedule, which schedule shall be recorded in

Duties of surviving partner.

the record of inventories in said court. Provided that if the person or persons entitled to administer upon the estate of such deceased partner, fail or neglect for thirty days after his death, to take out letters testamentary or of administration, such surviving partner or partners may make application to the proper court and cause the estate of said deceased to be administered upon.

When survivor
may purchase
partnership
property.

Sec. 3169. The surviving partner or partners may, with the consent of the executor or administrator of the deceased partner and the approval of the probate court by which such executor or administrator was appointed, take the interest of such deceased partner in the partnership assets, at the appraised value thereof, first deducting therefrom the debts and liabilities of the partnership, upon giving to the executor or administrator his or their promissory note or notes, with good and approved security, for the payment of the interest of such deceased partner in the partnership assets; such note or notes to be payable with interest, in not to exceed nine months from the time such surviving partner or partners elect to take such assets, which election shall be made within thirty days from the date of the filing of the inventory and appraisement, or a certified copy thereof in said court, and such surviving partner or partners shall give bond to said executor or administrator, with surety or sureties to the approval of said court for the payment of the debts and liabilities of said partnership, and for the performance of all contracts for which said partnership is liable; provided, that in the event such surviving partner or partners shall refuse or neglect to take the interest of such deceased partner in the partnership assets within the time, and in the manner hereinbefore provided, such executor or administrator shall forthwith apply to a court of competent jurisdiction for the appointment of a receiver for said partnership, who shall thereupon proceed to wind up said partnership and dispose of the assets thereof, in accordance with the statutes governing receivers, and the probate court shall be a court of competent jurisdiction in the appointment and control of the receiver herein provided for; and provided further, that when the original articles of a co-partnership in force at the death of any partner, or the will of a deceased partner dispenses with an inventory and appraisement of the partnership assets, and with a sale of the interest of such deceased partner therein, and such article of co-partnership, or such will provides for a different mode for the settlement of such deceased partner's interest in said partnership and for a disposition thereof different from that provided for herein, the interest of such deceased partner in said partnership shall be settled and disposed of in accordance with the provisions of such articles of co-partnership, or of said will.

How partnership real estate
to be conveyed.

Sec. 3170. When the real estate of any partnership is appraised and elected to be taken by the surviving partner or partners, the probate court shall, upon the execution and delivery of the note, or notes, and the bond, provided for in section 3169, order the executor or administrator to execute

and deliver to the purchaser or purchasers, a deed for the deceased partner's interest in such real estate, which deed shall pass the title thereto, and the real estate of any such partnership within the meaning of section[s] 3167, 3169 and 3170 shall be held to include only such lots, tracts, or parcels of real estate as are used in whole or in part in the transaction of the business of such partnership.

SECTION 2. That said original sections 3167, 3169 and 3170 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 24, 1890.

93G

[House Bill No. 89.]

AN ACT

To compel railroad companies to keep their right of way free from all combustible material, and to use diligence in preventing fires.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every railroad company, or every person in charge of a railroad as manager or receiver, shall be required to keep the right of way of such company clear and free from weeds, high grass, [and] decayed timber, which from their nature and condition are combustible material, liable to take and communicate fire[s] from passing locomotives to abutting or adjacent property. And such company shall be liable for all damage sustained by the owner or occupant of abutting property from any carelessness or neglect to keep such right of way clear of combustible material as herein provided.

Requiring railroad companies to keep right of way free from combustible material

SECTION 2. Any person owning or controlling property abutting or adjacent to such railroad right of way, in case of failure to comply with the provisions of this act after twenty days' notice in writing, the default still continuing, may cause to be removed all combustible material from the right of way from [of] such railroad along or by such abutting or adjacent property and upon presentation of a reasonable account for the same to the agent at the nearest station of such company or receiver, and if such company or receiver refuse to pay the same within thirty days, the amount may be recovered by law, before any court having jurisdiction thereof.

When abutting property owner may remove, etc.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 24, 1890.

94G

[House Bill No. 436.]

AN ACT

To repeal an act entitled "an act to regulate the construction, enlargement, changes in, and conduct and management of water-works, and define the powers and duties of water-works trustees in certain cities," passed April 3, 1888.

Repeal of act
regulating con-
struction, etc.,
of water-works
in certain
cities, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to regulate the construction, enlargement, changes in, and conduct and management of water-works, and define the powers and duties of water-works trustees in certain cities," passed April 3, 1888, by the general assembly of the state of Ohio, be and the same is hereby repealed.

SECTION 2. This act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
95G

[House Bill No. 62.]

AN ACT

To amend section one of an act entitled "an act to authorize the licensing of transient dealers by cities of the second grade of the second class," passed April 11, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "an act to authorize the licensing of transient dealers by cities of the second grade of the second class," passed April 11, 1889, be amended as follows:

Authorizing
the licensing
of transient
dealers in cit-
ies and vil-
lages.

Sec. 1. That the council of any city or village may provide by ordinance for licensing transient dealers or persons who open stores or places for the temporary sale of goods, wares or merchandise, and in granting such license may exact and receive such sum of money as it may think expedient, and may delegate to the mayor of such city or village the authority to grant and issue such licenses and revoke the same; provided, that this act shall not apply to persons selling by sample only, nor to any agricultural articles or products offered or exposed for sale by the producer.

SECTION 2. That said original section one (1) of said original act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.
96G

[House Bill No. 163.]

AN ACT

To create township supervisors in certain counties, and to require the letting of certain portions of road work by contract.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all the counties in this state which contain a city of the first class, second grade, there shall be elected on the first Monday in April, A. D. 1890, and biennially thereafter, one supervisor in each township, who shall hold his office for two years, and until his successor is elected and qualified, and each township, exclusive of such part as may be under control of a municipal corporation, shall constitute a road district; provided, that in townships having two or more voting precincts, there shall be elected one supervisor for each precinct, and each precinct shall constitute a road district, and where the election is in common with a municipal corporation the vote for supervisor shall be taken in a separate ballot-box, furnished by the township trustees for such purpose, and only those electors shall be entitled to vote who reside within the proposed road district. Each supervisor, within ten days after his election, shall take an oath or affirmation to faithfully, honestly and impartially discharge all the duties of his office, and shall enter into bonds, payable to the state of Ohio, in trust for the township, in the penal sum of not less than five hundred dollars, with surety to be approved by the township trustees, conditioned to fulfill the requirements of said oath, or affirmation, said bonds to be recorded by the township clerk, and when forfeited in whole or in part, to be collected with the cost by the trustees in a civil action, and moneys so collected shall go into the road fund of the township, to be expended as other road moneys.

Township supervisors in certain counties; term, etc.

Certain townships may elect for each voting precinct which is constituted a road district.

Supervisor.

SECTION 2. If the supervisor of any road district shall, by willful neglect of duty or malfeasance in office, forfeit his bond or any part thereof, or shall prove incompetent to properly fulfill the duties of the office, he may be removed by the township trustees, and it shall be the duty of the trustees on proof of such neglect, malfeasance or incompetence in a suit brought before a justice of the peace of the township, to declare the office vacant; and in case of vacancy in the office by any cause, the trustees in the district where such vacancy occurs, shall appoint a suitable person to fill the same for the unexpired term, and the person so appointed shall, before entering upon his duties, take an oath or affirmation, give bonds, and be under the same restrictions and penalties provided for in this act.

Supervisor may be removed for malfeasance or incompetence.

How successor appointed.

SECTION 3. The duties of supervisor shall be as follows: To open, or to cause to be opened, all public roads and highways which shall be laid out and established in his district, and to maintain the proper legal width and location of the same; to keep the same in good repair and make, from time to time, such permanent improvements by grading, draining, graveling or macadamizing, as the tax for road purposes will warrant; to remove or cause to be removed, forthwith, all

Duties of supervisor.

obstructions that may be found thereon; to complete the work of grading and ordinary repairs between the first day of April and the fifteenth day of July of each year, and to complete within a reasonable time after having been commenced, all repairs and improvements in a smooth and workmanlike manner, and in good condition for all kind[s] of public travel, and to grade, or cause to be graded and leveled off, the earth and gravel that may be scraped, shoveled or hauled into any public road under his direction or charge at the time such work is performed; and within the months of July and August of each year, to cut down, or cause to be cut down and destroyed, all weeds, burs, bushes and briars growing in the public highways within his jurisdiction. But no supervisor shall cut down or molest any of the shade trees growing upon the highways, unless so ordered by the township trustees.

Guide boards.

SECTION 4. Supervisors shall cause to be erected and kept in repair at the principal forks and cross-roads within their respective districts, leading to some village, depot or other important place, a post and guide board, containing a legible inscription directing the way and naming the distance to the village or public place or places situate on each of such roads, and shall provide and maintain, where feasible and desirable, suitable watering troughs and places for procuring water for persons and animals on the public highways; and shall remove, or cause to be removed, timber or drift lodged against bridges or abutments of the same, in a manner to endanger or damage the structure, but it shall not apply to toll bridges, or bridges upon toll roads.

"Two days' labor:" when to be performed, etc.

SECTION 5. Supervisors shall order out, or cause to be ordered out, annually, between the first day of April and the fifteenth day of July, every person liable to perform the two days' labor in his district, to do and perform such labor upon the public highways, but no person shall be required to perform such labor at a distance of more than two miles from his place of residence, and for the above purpose the residence of any person who has a family shall be held to be where his family reside, and the residence of any other person shall be held to be where he boards.

Certain repairs to be let by contract; when to be completed, etc.

SECTION 6. Supervisors shall let by contract under written specifications such portions of the public roads for ordinary repairs or for grading, underdraining, graveling or macadamizing, as the trustees shall direct; and the work of ordinary repairs shall be done between the first day of April and the fifteenth day of July of each year, except scraping the roads and other necessary repairs, which may be done at any time when it shall be deemed necessary by the supervisor or trustees, but before letting any contract for grading, underdraining, graveling or macadamizing, any one job of which will, in his judgment, exceed in cost the sum of fifty dollars, he shall make careful estimate of the cost, to be approved by at least two of the township trustees; and if necessary for this purpose, he may employ a competent engineer, and shall advertise the letting of the work at least twenty days, speci-

Certain contracts for grading, etc., to be advertised and let to lowest bidder.

fyng the width, height, and pitch of grade, depth and width of gravel or stone to be applied and other necessary particulars and specifications, and let the same to the lowest responsible bidder, taking from him a bond in a sum fixed by them, payable to the state, with good sureties for the performance of the work within a time therein specified, and in accordance with full written specifications, a copy of which bond and specifications shall be filed with the township clerk, but no bid shall be accepted which exceeds the estimated cost, and the supervisor may reject any or all bids, and it may be a condition of the contract that persons owing the two days' labor, and whose names are specified therein, may work out the same under the direction of the contractor, such work to be received and accounted for as a part in payment of the contract price. And it also shall be a condition of the contract that persons that pay a road tax or assessment of property and who may live within two miles of where the work is to be performed, shall have preference in the employment of labor to complete the contract, such work to be performed at a time agreed upon by the contractor and at the same rate per day as the contractor pays in cash for similar labor on any such contract, but all such contracts shall be submitted to the township trustees and approved by them.

Bids.

Preference in
employment
of labor.

SECTION 7. Supervisors shall expend the money collected by them, in lieu of the two days' labor for the benefit of the roads in their respective districts, and shall keep an itemized account in a book of record, to be furnished by the trustees and given over to their successors in office of all moneys received and paid out by them, and shall report to the trustees of their townships at the annual settlement on the first Monday in March, a detailed statement of their official transactions, including the amount of labor and by whom performed, when and where expended, time and date of their own services, and they shall return a full and true list of the names of all persons within their respective districts who have been ordered out to perform the two days' labor, and of those who have refused or neglected to perform the same; and all fines and forfeitures sued for and recovered under the provisions of this chapter shall be paid by the justice of the peace or constable collecting the same, into the township road fund, and supervisors shall also render an account, duly verified before some officer authorized to administer oaths, to the trustees at the annual settlement, of all moneys that remain in their hands at the time of settlement, and all judgments that remain unpaid, with the names of the judgment debtors and the justice before whom such judgment was obtained, with the amount of each, and the trustees shall make such order as to the prosecution of suits by the supervisor against such delinquent as in the judgment of the trustees the interests of the township may require.

Supervisors to
keep itemized
account of ex-
penditures
and report an-
nually to the
trustees

SECTION 8. All money that may remain in the hands of the supervisor at the expiration of his term of office, shall be paid over to his successor, with a full statement of his official transactions from and after the time of his annual settlement with the township trustees, as soon as such successor shall be

Final settle-
ment of super-
visors at expir-
ation of term.

elected and qualified, taking a receipt therefor, said receipt to be deposited with the township clerk, and said statement shall be made a part of the account rendered by his successor at the next annual settlement with the township trustees, and any supervisor may sue out executions on any judgments that remain unpaid, at any time when, in his opinion, the same can be collected.

How accounts
to be audited.

SECTION 9. The trustees, treasurer and supervisor of roads shall meet annually on the first Monday of March, at the place of holding township meetings, and the trustees shall proceed to examine the itemized account of the treasurer and supervisor, and settle the same and all other claims against the township not before settled.

Trustees to
purchase im-
plements for
road making
at expense of
township.

SECTION 10. It shall be the duty of the trustees to purchase improved implements for road making in sufficient quantity for the use of the township, and the same shall be used exclusively for that purpose, and the cost, on their order, shall be paid out of any money in the township treasury not otherwise appropriated, and should there be a lack of funds the trustees may levy an additional tax for that purpose, not to exceed one hundred dollars in any one year, and such improved implements shall be for the use of contractors and supervisors in the making and repairing roads within the township, and the supervisor shall be held responsible for the good usage of the same, and shall take care of them and preserve them when they are not in use.

Levy of tax.

Sidewalks and
footbridges.

SECTION 11. Supervisors, when authorized by the trustees, shall grade sidewalks, and when deemed necessary, to construct footbridges over streams of water on the line of roads in their districts, and any portion of the two days' labor may be used for this purpose.

Compensation
of supervisors.

SECTION 12. Supervisors shall be entitled to a per diem not to exceed two dollars and fifty cents for each day actually employed, the same to be paid on the order of the trustees out of the road or township fund, and they shall not exceed in expenditures for road purposes in any one year the amount of road fund for that year, except in cases of unforeseen damage by flood or otherwise.

Levy for road
purposes: how
determined.

SECTION 13. The township trustees shall, in addition to the two days' labor, determine a per centum to be levied for road purposes upon each dollar of valuation of the taxable property of their respective townships, exclusive of any incorporated village, as follows: In townships having a valuation of taxable property of one million dollars and over, not exceeding three mills on each dollar; in townships having a valuation of less than one million and more than five hundred thousand dollars, any rate not exceeding four mills on each dollar; and in townships having less than five hundred thousand dollars valuation, any rate not exceeding five mills on each dollar; and said trustees shall certify the same to the county auditor in writing on or before the 15th day of May of each year; and the county auditor shall assess the same on all the taxable property in said township road district, and the same shall be collected, one-half in the December installment and one-half in the June installment by the

To be certified
to county
auditor.

county treasurer, and paid over by him to the treasurer of the township from which said taxes were collected, the same to be expended for the improvement of roads in the township road districts where collected; and said trustees shall annually set apart such portion of the road tax as they deem best in payment of contracts for permanent improvement of the roads by draining, grading, graveling or macadamizing.

SECTION 14. This act shall take effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.

97G

[House Bill No. 431.]

AN ACT

To authorize cities of the third grade of the second class, having a population at the last federal census of 15,435, or which may at any subsequent federal census have a population of 15,435, to levy a tax for the maintenance of free public libraries.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any city of the third grade of the second class having a population of 15,435, or which may at any subsequent federal census have a population of 15,435 at the federal census of A. D. 1880, and in which city there is established and maintained by a public library association not organized for profit a public library, free to all the inhabitants of such city, the city council may levy an annual tax, in addition, if need be, to the aggregate amount of taxes limited by law, not exceeding two-tenths of a mill, on all the taxable property within such city, to be called the public library fund, which shall be certified to the county auditor of the county and placed on the tax duplicate of the county, and collected as other taxes.

Certain cities authorized to levy a tax for public library purposes.

SECTION 2. Said tax, when so levied and so collected, shall be paid over by the treasurer of such city to the treasurer of said library association, to be used only in the purchase of books, pamphlets, magazines, or newspapers for the library of said association.

Disposition of proceeds of levy.

SECTION 3. Said city council shall require said library association to render an account as often as it shall deem proper of all taxes so received by it, and how the same has been expended, and power to levy a tax under this act shall continue only so long as said association shall keep up and maintain in a public place in such city a public library, free to all the inhabitants thereof.

Accounts of library association.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.

98G

[House Bill No. 489.]

AN ACT

To authorize any village of the first class, in the state of Ohio, which at the last federal census had, or which at any subsequent federal census may have, a population not less than three thousand and eight hundred (3,800), nor greater than three thousand eight hundred and five (3,805), and which may have been advanced to a city of the second class, fourth grade, to borrow money and issue bonds for the purpose of extending the limits of said city, opening, widening and extending the streets and alleys thereof, as well as repairing and improving the same, and for the purchase and improvement of real estate for park and other purposes for the use of said city.

Certain cities authorized to issue bonds for extension of corporate limits, etc.

Bonds: denomination; interest.

Question of issue to be submitted to vote.

Ballots.

Proceeds from sale to be placed in city treasury.

How expended.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village of the first class, in the state of Ohio, which at the last federal census had, or which at any subsequent federal census may have, a population not less than three thousand eight hundred (3,800), nor greater than three thousand eight hundred and five (3,805), and which may have been advanced to a city of the second class, fourth grade, is hereby authorized to issue bonds in any sum not exceeding one hundred thousand dollars, in denominations not exceeding one thousand dollars each, bearing interest not to exceed six per cent. per annum, payable semi-annually, to be designated as improvement bonds, and to be payable in not less than ten nor more than thirty years from their date, as said city council may determine.

SECTION 2. Said bonds shall not be issued by said council until the question shall have first been submitted to a vote of the qualified electors of said city, at a general or special election, of which not less than five days' notice shall have been given by publication in some newspaper of general circulation in said city; and at said election all those desiring to vote in favor of issuing said bonds shall have written or printed on their ballots the words, "Issue of improvement bonds—Yes;" and all voters desiring to vote against said issue of bonds, shall have written or printed on their ballots the words, "Issue of improvement bonds—No;" and if a majority of said votes cast at such election be in favor of the issue of such bonds, then said council may proceed as authorized by this act, and not otherwise.

SECTION 3. Provided the authority to issue said bonds is ratified by the electors of said city, as provided for in section two (2) of this act, said bonds shall be sold for not less than their par value, and the proceeds thereof shall be placed in the city treasury, to be expended in extending the limits of said city, opening, widening and extending the streets and alleys thereof, as well as repairing and improving the same, and for the purchase and improvement of real estate for park and other purposes for the use of said city.

SECTION 4. The proceeds of the sale of said bonds shall be paid out upon the appropriation and order of the said council for the purposes aforesaid, subject, however, to the approval and control of the city improvement board, hereinafter provided for.

SECTION 5. The court of common pleas of said county or, in the absence or inability of the judge of said court of common pleas to act, then the judge of the probate court shall appoint six electors of said city, not more than three of whom shall belong to any one political party, to be styled a "city improvement board;" and all the appropriations made by the said council under this act shall be submitted to, and passed upon and approved by a majority of said board, and it shall be unlawful to appropriate or pay out any of said money for any purpose until such approval is filed in writing in the office of the clerk of said city.

City improvement board: how appointed; duties, etc.

SECTION 6. The members of said board of improvements shall serve without pay, and until the funds arising from the sale of said bonds shall have been expended; but may be removed for cause by said common pleas court, and any vacancy occurring in said board by resignation, or removal, or from any other cause, shall forthwith be filled by appointment by said court of common pleas, or, in the absence or inability of the judge of the said court of common pleas to act, then by the judge of the probate court of said county, and in such manner as that not more than three members thereof shall be of the same political party.

Members of board to serve without compensation; removals, etc.

SECTION 7. The council of said city is hereby authorized to sell at public or private sale, for such price, and on such terms as they may see fit, and duly convey to purchasers, so much of the present or hereafter acquired real estate belonging to said city for park or other purposes, as they may by ordinance determine to sell, and may lease for such time and upon such terms as said council shall by ordinance determine, so much of said real estate as they may see fit; provided, however, that such sale or lease shall be subject to the approval of the said city improvement board in the manner hereinbefore provided, and no such sale or lease shall be valid without such approval.

Duty of council as to disposition of real estate.

SECTION 8. Said city council is hereby empowered to levy such amount of tax upon the taxable property of said city, in addition to other taxes authorized by law, as may be necessary to pay the interest and principal of such bonds when the same become due; said taxes to be levied and collected in the same manner as taxes for other purposes are levied and collected.

Levy of tax to pay principal and interest of bonds.

SECTION 9. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.

[House Bill No. 516.]

AN ACT

To authorize certain incorporated cities to construct machine shops and to issue bonds therefor.

Certain cities authorized to construct machine shops.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any municipal corporation which by the federal census of 1880 had, and which by any subsequent federal census may have a total population of three thousand nine hundred and forty, is hereby authorized to contract for and construct machine shops, and purchase real estate therefor, and for that purpose to issue bonds to the amount of sixty thousand dollars, in such denomination and payable at such times as the council of said municipal corporation shall by resolution determine. Such bonds shall be signed by the mayor, countersigned by the clerk and attested by the corporate seal of such municipal corporation, and shall bear interest at the rate of six per cent. per annum, interest payable semi-annually from its [the] date thereof.

Bonds: how negotiated and disposition of proceeds.

SECTION 2. That any such municipal corporation may negotiate such bonds for cash, or it may deliver the same in payment for such real estate, or for the construction of machine shops, but in no case shall such bonds be disposed of at less than the par value thereof, and no contract shall be awarded until the contractor shall enter into bonds to such municipal corporation in double the amount of such contract, conditioned that such contractor shall fully perform all obligations imposed upon him by such contract.

Duty of council as to lease of shops and grounds.

SECTION 3. That said council is hereby authorized to lease said shops with or without the ground upon which the same may be built, for such terms and on such conditions and reservations as may by it be determined by resolutions, or such council may sell and convey said shops with or without the grounds upon which the same are built, or contracted to be built, for such considerations and upon such terms, conditions, and reservations as may by it be determined by resolution.

Question to be submitted to vote of electors.

SECTION 4. That the powers herein conferred shall in no case be exercised by any such council until thereto authorized by a vote of the qualified electors of such municipal corporation taken at a general or special election held therein; that for the purpose of submitting such proposition to a vote of such electors, the clerk of such municipal corporation upon the passage of a resolution by such council, for the purpose, shall give notice of the time of holding such election, which shall be published in all the newspapers published in such municipal corporation, whether English or German, at least ten days prior to the day of holding such election; such election shall be held at the city hall in said municipal corporation, and the officers authorized to preside at said election shall be designated by said council. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of such municipal corporation, who with the president of said council shall at any regular or special meeting

of the council, and in the presence of a quorum of such council proceed to canvass such vote, and the clerk shall enter the number of votes cast for such proposition, and the number of votes against such proposition in such municipal corporation, and if it shall appear by the returns of such election that two-thirds of all the electors voting at such election shall have voted in favor of such proposition, such council shall be authorized to exercise the powers conferred by this act, and if two-thirds of such electors shall not have voted in favor of such proposition, such council shall not exercise the powers conferred by this act. The ballots voted at such election shall have written or printed thereon the words "Machine shops—Yes," "Machine shops—No."

SECTION 5. That the resolution of such council herein provided for shall forthwith be entered by the clerk upon the ordinance book of such municipal corporation and shall take effect upon the passage thereof without publication, any provisions of the law to the contrary notwithstanding.

Duties of clerk as to ordinance.

SECTION 6. That all contracts or conveyances authorized by this act shall, upon the part of said municipal corporation, be signed by the president of the council and countersigned by the clerk and attested by the seal of such municipal corporation; and the council is hereby authorized to levy such tax upon the taxable property of such municipal corporation each year thereafter, as may be necessary to pay the interest on such bonds as the same may become due, and to provide a sinking fund to pay the principal of such bonds at maturity.

Contracts to be signed by the mayor and countersigned by the clerk.

Levy of tax for interest and principal of bonds.

SECTION 7. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.
100G

[Senate Bill No. 74.]

AN ACT

For relief of the poor, in counties which by the last federal census had, or at any future federal census may have a population of not less than 40,076 nor more than 40,081.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of a township in any county in the state of Ohio, with or without an infirmary, which by the last federal census had or by any future federal census may have a population of not less than 40,076 nor more than 40,081 may contract with one or more competent physicians to furnish medical relief and medicines for the paupers of their respective townships who come under their charge under the provisions of section 1494 Revised Statutes, but in counties having an infirmary, such contracts shall not extend to paupers after being received by an infirmary director as pro-

How medical relief may be furnished in certain counties.

vided by law, and in counties having an infirmary, such contracts shall not take effect until approved by the board of infirmary directors, and in other counties not until approved by the county commissioners, but no such contract shall extend beyond one year.

How contract
may be entered
into.

SECTION 2. These contracts shall be given to the lowest competent bidder, the trustees reserving the right to reject any and all bids, and to annul any such contract at any time for proper cause; and said trustees shall publish notice in any newspaper of general circulation in the county, of the time and place, and when and where sealed bids will be received for furnishing medical relief and medicines for the paupers of their respective townships, as aforesaid, which notice shall be published for three consecutive weeks next preceding the time of receiving said bids.

Liability of
township for
medical relief:
limitation of.

SECTION 3. That when the trustees of any such township shall enter into such contract, as herein provided, said township shall not be liable for any medical relief thereafter furnished any pauper, by any other physician, after notice to the trustees as provided in section 1494 of the Revised Statutes, so long as such contract remains in force.

SECTION 4. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.
101G

[Senate Bill No. 179.]

AN ACT

To authorize cities having a population at the last federal census of five thousand five hundred and sixty, or that may have at any subsequent census such population, to build a freight and passenger railroad within its limits, and to own and control the same.

Certain cities
authorized
to build rail-
roads within
the city limits.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever in any city having a population at the last federal census of five thousand five hundred and sixty, or that hereafter may have that population, the city council thereof shall, by a resolution passed by a majority of the members elected thereto, declare it to be essential to the interests of such city that a line of railway, to be named in said resolution, should be provided between termini designated therein, both of which shall be in such city, it shall be lawful for a board of trustees, appointed as herein provided, and they are hereby authorized to borrow as a fund for that purpose not to exceed the sum of fifty thousand dollars, and to issue bonds therefor of and upon the municipal corporation, bearing interest at a rate not to exceed six per cent. per annum, payable at such times and places, and in such sum as said board shall deem best, but not less than ten years from

the date thereof. Said bonds shall be signed by the president of said board, and attested by the city clerk, who shall keep a register of the same, and for the redemption of said bonds the faith of the city shall be pledged, and the annual levy of a tax [shall be made] by the council thereof, sufficient to pay the interest, and provide a sinking fund for the final redemption of said bonds; provided, that no money shall be borrowed or bonds issued until after the question of providing the line of railway specified in the resolution shall be submitted to a vote of the qualified electors of the city, at a special election to be ordered by the city council thereof, or at the first general election after the passage of the resolution herein provided for, of which not less than ten days' notice shall be given in two newspapers published in said city; and further provided, that a majority of said electors voting on said question, shall decide in favor of said line of railway. The returns of said election shall be made to the city council, who shall declare the result by resolution. The bonds issued under authority of this section shall not be sold or disposed of for less than their par value, and to the highest responsible bidder or bidders.

Question of issue of bonds for same to be submitted to the people.

SECTION 2. If a majority of the votes cast at said election on the question of providing the line of railway as specified in the first section, shall be in favor thereof, the city solicitor shall forthwith file a petition in the court of common pleas of the county in which said city is situate, for the appointment of three trustees, to be called the trustees of ——— railway (the blank to be filled with the name given to the railway in the resolution), and it shall be the duty of the judge or judges to make the appointment and proper entry of the same. The trustees so appointed shall be residents of the city, shall give bond in such sum as the court may direct, with one or more sufficient sureties, to be approved by the court, conditioned for the faithful discharge of their duties, and shall serve without compensation. Said board of trustees shall be appointed as follows: One for one year, one for two years and one for three years, and vacancies by expiration of term or otherwise shall be filled in the same manner as original appointments, so that the term of one trustee shall expire each year.

Trustees to be appointed by the court of common pleas.

SECTION 3. The said trustees, and their successors, shall be the trustees of said fund, and shall have the control and disbursements of the same, and control and management of said railway during its construction, and after completion of the same. Said fund shall be expended in procuring the right of way to construct, and in constructing said railway, and for these purposes said trustees shall have power to make contracts, and to do all things necessary to the complete carrying out of the provisions of this act.

Powers and duties of trustees.

SECTION 4. Said trustees shall form a board and shall choose one of their number president, who shall also be an acting trustee. A majority of said trustees shall constitute a quorum, and they shall keep a record of their proceedings and a full and accurate account of their receipts and disbursements, and make a report of same whenever requested by a resolution of the city council.

How organized.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.
 102G

[House Bill No. 220.]

AN ACT

To amend section 1368 of the Revised Statutes of Ohio, as amended May 4, 1885 (O. L., vol. 82, page 256), and section 1369, Revised Statutes (vol. 1, page 460).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section thirteen hundred and sixty-eight, as amended May 4, 1885, be amended so as to read as follows:

Conduct of
 election of
 trustees; their
 powers.

Sec. 1368. Said election shall be conducted in the same manner as township elections in civil townships, and shall be held on the same day that township elections in said township are held except that in any original surveyed township which lies in more than one township or county, the election shall be held on the first Monday of May, the place of holding said election to be as near the center of the township as can be, and at least fifteen days' notice of such election to be given by notices posted in five or more of the public places of the original surveyed township, and the trustees of such township shall be a body corporate, with power to contract and be contracted with, sue and be sued, and to take charge of such section or sections, or parts of section or sections, and to manage the same according to the best interests thereof.

SECTION 2. That said original section thirteen hundred and sixty-eight, as amended May 4, 1885, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.
 103G

[House Bill No. 273.]

AN ACT

To provide against accidents on railroads, and limit the hours of service.

Hours of ser-
 vice of certain
 railway em-
 ployes limited.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That no company operating a railroad over thirty miles in length, in whole or in part, within this state, shall permit or require any conductor, engineer, fireman or

brakeman on any train who has worked in his respective capacity for twenty-four consecutive hours, except in case of casualty, to again go on duty or perform any work until he has had at least eight hours' rest. Ten hours' labor shall constitute a day's work, and for every hour in excess of said ten hours' work, that any conductor, engineer, fireman, brakeman or any trainman of a company, who works under directions of a superior, or at the request of the company, shall be required or permitted to work, he shall be paid for said extra services in addition to his per diem.

SECTION 2. Any company which violates, or permits to be violated any of the provisions of the preceding section, or any officer, agent or employe who violates, or permits to be violated any of the provisions of the preceding section, shall be fined not less than one hundred dollars, nor more than one hundred and fifty dollars.

Penalty for violation of foregoing section.

SECTION 3. This act shall take effect upon its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.
104G

[House Bill No. 283.]

AN ACT

To authorize county commissioners in counties in which there are situated cities of the first grade of the second class to improve roads extending from such cities and other roads or streets in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in counties in which there are cities of the first grade of the second class, county commissioners shall have authority to cause any of the streets or avenues, or parts thereof of said cities which may have been paved with granite or other stone block, asphalt or other permanent material to the limit of said city, to be extended beyond the limits of said cities and improved by paving as aforesaid, or to cause any other road or street within said counties to be so improved upon the following conditions, to-wit:

Authorizing county commissioners in certain counties to improve roads extending from certain corporation limits.

SECTION 2. The property owners of lands fronting upon such road, street or streets being desirous of having said road, street or streets extended and so improved beyond the limits of said cities, or any other road, street or streets within such counties so improved, shall petition said commissioners to have said street or streets extended, widened and so improved, as called for in said petition; said petition shall state therein with what material said street shall be paved, provided with sidewalks, gutters and other passages for carrying off the water, and stating therein to what point on said road or street said improvement is to be extended, or between what points on such other road or street such improvement is to be made.

Petition for improvement: how to be made and what to contain.

Petition must represent majority of feet frontage.

No petition for the improvement of any road or street under the provisions of this act shall be favorably considered by said commissioners unless it is signed by the property owners representing a majority of the feet frontage of the lands abutting upon said road or street, between the city limits mentioned therein and the point designated in said petition where said improvement shall stop, or the points upon such other road or street where said improvement shall begin and end, and the distance between such points shall be mentioned by the number of feet upon the line of said road or street.

Hearing of petition; notice by publication, etc.

SECTION 3. Whenever the commissioners of such county shall receive such petition, they shall appoint a time and place for the hearing of said application, not less than four weeks thereafter, publish a notice of such hearing in some newspaper of general circulation in the vicinity of the proposed improvement, for not less than two consecutive weeks, once each week, and cause service of said notice to be given to all owners of property fronting upon the proposed improvement, their agents or attorneys, at least two weeks before said hearing.

Claims for damages; what to contain; how filed, etc.

SECTION 4. All owners of lots or lands bounding or abutting upon the proposed improvement claiming damages therefor, shall file a claim in writing with said county commissioners, setting forth the amount of damages claimed, together with a description of the property owned for which the claim is made, within one week after the expiration of the time required for [the] publication of said notice, and all such as shall fail or neglect to file their claim for damages aforesaid, within the time aforesaid, shall be deemed to have waived the same, and be forever barred from filing any claim or recovering any damages therefor.

Hearing of petition; authorizing of improvement; establishment of width of road, etc.

SECTION 5. Upon the day appointed for said hearing, if no claim for damages or for appropriations have been filed, or if whatever claims have been filed are allowed by the commissioners as hereinafter authorized, the hearing may proceed, and if, upon such hearing, the county commissioners shall be satisfied that the owners of a clear majority of the feet front of land abutting upon said proposed improved roadway favor said improvement, and that the proposed improvements are judicious, it shall be their duty to declare said improvement authorized and established, and to declare the width of said road legalized and established, as of the dimensions and manner as prayed for in said petition, and to make a permanent record of their said action. When said action is taken by the county commissioners they shall immediately notify the county surveyor of their action; said commissioners shall have authority to allow claims as presented or as may have been acted upon. They shall also have authority to sit as arbitrators, and hear all claims arising out of such proposed improvements. They may subpoena witnesses and hear testimony, and upon final hearing shall find and determine the amount, if any, fairly due the claimant, or that claimant is entitled to no damages and their finding shall be conclusive.

Duties of surveyor.

SECTION 6. It shall be the duty of the county surveyor, upon receiving such notice from the county commissioners

that such a road has been widened, or other improvements authorized, to survey such road, erect stakes or monuments in front of each piece of property, marking the outside lines of such road so widened or extended, and do whatever other work [may be] necessary for said improvement, as ordered by said commissioners. It shall be the duty of said commissioners to assess all claims allowed by them for the establishment and widening of said street or streets upon the property fronting on such road so improved by the foot front. All other expenses for said improvement, except building bridges and culverts, which shall be paid out of the county bridge fund, shall be paid for and assessed upon the property abutting upon said street, not, however, to a greater depth than two hundred and fifty feet, in accordance with the various provisions of law now enacted or hereafter enacted applicable thereto, and not inconsistent with this act.

Claims for establishing road to be assessed on abutting property; exceptions.

SECTION 7. In order to provide for the payment of the costs and expenses of said improvement to be assessed upon the abutting property, the commissioners may, from time to time, as such improvement progresses, issue the bonds for such road improvement, in such sums as will be required, in all to an amount not exceeding the contract price of the work and the other expenses attending the same, and interest as hereinafter provided for. Said bonds shall be issued as other bonds for road improvement are issued, but they shall bear the name of the street for whose improvement they are issued, and shall state therein that they are to be paid by an assessment upon the property abutting on the said improvement; said bonds shall extend over a period of at least eight years, and for as much longer time as may be provided in the order of said commissioners directing said improvement; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, on the first day of July and January, principal and interest payable at the office of the county treasurer.

May issue bonds for cost of construction, as work progresses, in sums as may be required.

SECTION 8. The said bonds shall be negotiated at not less than par, as other bonds of said county are negotiated, and the proceeds shall be applied solely to pay for said improvement, and the proceeds thereof shall only be paid upon the certificate of the county surveyor and superintendent hereinafter provided for, that the work has been done according to the contract; when the whole work is done the amount of the bonds sold to pay for the same and the interest thereon to the next interest day, when the assessments can be collected as hereinafter provided to pay the same, shall be taken as the cost of the said improvement to be paid by the abutting property owners, and that amount shall be assessed equally by the foot front of property fronting or abutting on the said improvement.

Disposition of bonds; proceeds, how applied; manner of assessing cost on abutting property.

SECTION 9. Such assessment shall be placed upon the tax duplicate, and shall be payable in equal installments to meet said bonds, provided for in the order of said commissioners, ordering said improvement, at the county treasurer's office, with interest at the rate provided for in said bonds,

Assessment to be placed on tax duplicate.

payable semi-annually, from the date to which such semi-annual interest was computed on the amount of said bonds, or so much as remains unpaid from time to time, until all said bonds and interest are fully paid.

Lien for assessment; limitation, etc.

SECTION 10. Such assessment, with the interest accruing thereon, shall be a lien on the property abutting upon the street or roads improved from the time the contract is entered into for the making of said improvement, and shall remain a lien until fully paid, having precedence of all other liens, except taxes, and shall not be divested by any judicial sale unless the payment of the same is provided for, from the proceeds of such sale; such lien shall be limited to the depth of two hundred and fifty feet on the lands abutting on said improvement; no mistakes in the description of the property or the names of the owner or owners shall impair the said lien.

How assessments paid.

SECTION 11. Any owner of property against whom an assessment shall have been made for such improvement shall have the right to pay the same, or any part yet remaining unpaid in full, with interest thereon, to the next semi-annual payment due on said assessment; such payment shall discharge the lien on the property. If any owner shall subdivide any abutting property after such lien attaches he may discharge the same upon any part thereof in like manner.

Money received from assessments to be applied solely to interest and redemption of bonds.

SECTION 12. All moneys received from such assessments shall be appropriated by the proper authorities of the county solely to the payment of the interest and the redemption of the bonds issued for said improvement, or any part thereof. If any bond or interest shall be due and no money is in hand to pay the same, the commissioners shall be authorized to make a temporary loan to pay the same; but such lien shall continue in full force on the abutting property for the full assessments not paid and accruing interest for such temporary loan in behalf of said county.

Commissioners to appoint a board of improvement; duties, etc.

SECTION 13. When such order has been made by said commissioners for the improvement of any street under the provision of this act, they shall designate two or more owners of property abutting on said improvement who, with the county surveyor, shall constitute a board which, after the contract for the improvement has been made by the commissioners, may elect a superintendent who shall see that the said contract is performed according to the true intent, and all orders of the county surveyor in furtherance thereof are obeyed. When completed the said superintendent and surveyor shall certify to the same, and shall make a proper plat and assessment for said improvement on the abutting property. The property owners on such board shall serve without compensation, but the superintendent shall be paid such compensation as shall be agreed upon by said board, and such payments shall be a part of the costs of said improvements thereof.

As to compensation of board, etc.

Actions to enforce or enjoin assessments; manner of procedure, etc.

SECTION 14. In any action to enforce or enjoin any assessment, the court shall disregard any irregularity or defect, whether in the proceedings of the said board or commissioners, or any officer of the county, or in the plans or esti-

mates; and the acceptance of the work by the commissioners upon the certificate of the superintendent or county surveyor shall be presumptive evidence that the contract has been complied with, and the assessment exists, but if it be shown that there are any substantial defects of the improvement, or any fraud in the contract price of the work or material, the court may order such deduction therefor, from the cost of said improvement, and such deduction shall be ratably deducted from the assessment on all the property abutting on said improvement, and the court may make such order in regard to the costs, where such substantial defect or fraud is found, as to the court shall seem proper.

SECTION 15. The term owner, in this act, shall be construed to include all corporations, private, public, state or municipal.

"Owner" defined.

SECTION 16. On the completion of the improvement of any road or street under the provisions of this act, the commissioners shall appoint a board of control for said roadway, to consist of three of the property owners of the lands abutting upon said improvement, who shall serve without compensation, and have charge of the repairs and condition of said improved road. Said board shall be appointed to serve two years, or until their successors are duly appointed and qualified. Said commissioners shall fill any vacancy that may occur in said board by an appointment for such unexpired term. Said board shall see that said improved roadway is kept clean and in good repair, and all expenses incurred by said board in such work shall be by them returned to the auditor of the county in a written report of said board, to-wit: On the first Tuesday of January, of each year, together with an itemized statement of the expenses incurred by said board, which sum, if deemed correct and proper by said auditor, shall be by him assessed per foot front on all property abutting on said improvement; such assessment, until paid, shall be a lien, as other expenses of making said improved road.

Board of control: duties, etc.

SECTION 17. In no case shall said commissioners take action for the improvement of any road under the provisions of this act, until after they shall have made a personal inspection and examination of the line of said proposed improvement, and are satisfied that with such improvement the foot frontage of the lands abutting thereon will be well worth double the estimated expenses of such improvement, which inspection, examination and estimate, together with their present valuation per foot front of said lands, shall be by said commissioners made a matter of record, and no improvement shall be by them ordered, unless said record justifies it. The improvement of all streets under the provisions of this act shall be by said commissioners let to the lowest and best bidder, after two weeks' notice by said commissioners of said letting, published in some newspaper of general circulation in the vicinity of said proposed improvement. The said commissioners shall establish rules for letting of such contracts, which rules shall be printed and posted in the office of said commissioners.

Commissioners to examine line of proposed improvement before ordering to be made.

Contract to be advertised and let to lowest bidder.

SECTION 18. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.
 105G

[House Bill No. 291.]

AN ACT

To amend section 2113 of the Revised Statutes, as amended by the act of March 3, 1888, and section 2141 of the Revised Statutes, as amended March 21, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2113 of the Revised Statutes, as amended by the act of March 3, 1888 (vol. 85, O. L., page 59), and section 2141 of the Revised Statutes, as amended March 21, 1887 (vol. 84, O. L., page 172), be so amended as to read as follows:

Board of health: how established and constituted in municipalities.

Sec. 2113. The council of each city and village having a population of five hundred or more shall establish a board of health; such board shall be composed of the mayor, who shall be president by virtue of his office, and six members to be appointed by the council, who shall serve without compensation, and a majority of whom shall constitute a quorum; provided, that none of the provisions of this section shall apply to cities of the first grade of the first class or to cities of the first grade of the second class.

Board of police commissioners in certain cities to act as board of health.

Sec. 2141. In cities of the third grade of the first class and in cities of the first grade of the second class, there shall be no board of health, but the board of police commissioners in such cities shall exercise all the powers and perform all the duties of the boards of health and mayors as provided in this chapter.

SECTION 2. Section 2113 of the Revised Statutes, as amended March 3, 1888, and section 2141 of the Revised Statutes, as amended March 21, 1887, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.
 106G

[House Bill No. 462.]

AN ACT

To amend section 1448 of the Revised Statutes of Ohio, as amended March 30, 1888, also, to amend section 1451.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1448 of the Revised Statutes, as amended

March 30, 1888, and section 1451 be so amended as to read as follows:

Sec. 1448. After the judges and clerks have been qualified as aforesaid, the electors shall proceed to the election of one township clerk, one trustee, one township treasurer and such number of constables as may be directed by the trustees, and one supervisor of roads by the electors of each road district, and one assessor for the township, or if the township is divided into two or more election precincts, then for each precinct in which such election is held; and the judges and clerks in discharging their duties in said election, shall be governed in all respects by the law regulating elections, but it shall not be necessary to send a poll book to the clerk of the court of common pleas of the proper county; and in case any two or more persons have the highest and an equal number of votes for any one of the township offices directed to be filled, the clerk and judges of the election shall determine by lot which of the persons is duly elected; and the officers so elected shall hold their respective offices for the following terms, and until their successors are elected and qualified: supervisors of roads and assessors, one year; township clerk and treasurer, two years; and constables, three years; and trustees, three years; provided, [that] at the first annual election of any new township there shall be elected three trustees, the one receiving the highest number of votes, to serve three years; the one receiving the next highest number of votes, to serve two years; and the one receiving the next highest number of votes, to serve one year; should any two or more of those elected receive the same number of votes, they, at the first meeting of the board after their election, shall determine by lot the term for which each of them receiving an equal number of votes shall respectively hold the office; and provided further, that at the next annual election after the passage of this act, and at the first election of any new township, a treasurer shall be elected for one year, and a clerk for two years, and thereafter a township treasurer and clerk shall not be elected at the same annual election. Provided, however, that in case of a vacancy in the office of either clerk or treasurer, his successor shall be elected for the unexpired term, at the next annual election thereafter, occurring more than thirty days after such vacancy shall happen.

Election of township officers.

Sec. 1451. If, by reason of non-acceptance, death, or removal of a person chosen to an office in any township, except trustee, at the annual meeting aforesaid, or there is a vacancy from any other cause, the trustees shall appoint a person having the qualifications of an elector to fill such vacancy; provided in case of a vacancy in the office of clerk or treasurer, such appointee shall hold until his successor shall be elected as provided in section 1448.

Vacancy in township office: how filled; term, etc.

SECTION 2. That section 1448, as amended March 30, 1888, and section 1451 be and the same are hereby repealed.

SECTION 3. This act to take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.
107G

[House Bill No. 610.]

AN ACT

To authorize villages in the state of Ohio, having at the last federal census a population of not less than 2,205, nor more than 2,210, to issue bonds for the benefit of said villages in the improvement of their manufacturing and shipping facilities.

Authorizing
certain vil-
lages to issue
bonds for im-
provement of
manufactur-
ing and ship-
ping facilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the councils of villages having at the last federal census a population of not less than 2,205 nor more than 2,210 be and are hereby authorized to issue and sell the bonds of such villages in any sum not exceeding \$50,000, bearing interest not to exceed six per cent. per annum, payable annually, in denominations not less than \$500 nor more than \$1,000, the proceeds whereof shall be applied for the benefit of said villages in the improvement of their manufacturing and shipping facilities.

Question of
issue to be sub-
mitted to vote.

SECTION 2. Before said bonds or any part thereof shall be issued, the council of any such village shall provide by resolution for submitting the question of issuing the same to a vote of the qualified electors of such village at the usual place of holding municipal elections, and the mayor of such village shall issue and publish in some newspaper of general circulation in the corporation for ten days previous to said election, his proclamation setting forth therein the time and place of holding said election, the purpose or purposes to which the proceeds of said bonds are to be applied and the amounts thereof to be applied to each purpose, and the ballots to be voted at said election shall have written or printed thereon the words, "For issuing bonds—Yes," "For issuing bonds—No;" and if a majority of all votes cast at said election shall be in favor of the issuing of said bonds, and shall be so certified by the judges of said election, the council may proceed to issue and sell said bonds or any part thereof at not less than their par value, and provide for the payment of the principal and interest thereof, at such time or times not exceeding twenty-five years as the council may designate, by levying on all the taxable property of any such village annually, a tax not exceeding two mills, in addition to the general levy now allowed by law, for other purposes.

Ballots.

Duty of coun-
cil, etc.

Levy of tax.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 26, 1890.

108G

[Senate Bill No. 84.]

AN ACT

To redistrict cities of the second grade of the second class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in every city of the second grade of the second class, it shall be the duty of the judge or judges of the court of common pleas who reside in the county in which said city is situate, within ten days after the passage of this act, to appoint a commission of three citizens, who have resided continuously within the city for which they are appointed, at least five years prior to the passage of this act; and no more than two of said commissioners so appointed shall be members of the same political party.

Commission to be appointed in cities of the second grade, second class.

SECTION 2. Said commissioners when appointed shall take an oath faithfully to discharge their duties with impartiality, and shall immediately redistrict said city into wards bounded by streets, alleys, avenues, public grounds, canals, water-courses, corporation lines, center lines of platted streets, or railroads, and be composed of adjacent and compact territory, containing as nearly an equal number of inhabitants as may be practicable, and consecutively numbered.

Commission to redistrict said cities into wards.

SECTION 3. The commissioners or a majority thereof shall cause copies of the plats of the wards, as finally adopted, to be made, with a description of the boundaries of the same, and shall deposit one copy, certified by them, with the mayor, and another with the city clerk, who shall immediately record the same in the record book of general ordinances; and each member of said commission shall receive as compensation for his services the sum of three dollars for each day actually employed in the performance of the duties herein prescribed; which compensation, together with the necessary expenses incurred by said commission, shall be paid out of the general funds of any such city by the proper warrant drawn on the treasury, upon an itemized statement thereof verified by said commission. When the commission does not complete its work until after thirty days prior to a municipal election, all persons in said city possessing the qualifications of electors shall be entitled to vote in their respective wards without registration therein for such first election, and the said commission shall designate one place in each ward at which such election shall be held.

Duties of the commissioners.

SECTION 4. No election of members of council, or board of education, or ward officers shall be held until the next en-

Fixing term of certain mem.

bers of council
and board of
education.

suings annual election for corporation officers, nor shall the term of office of any member of council or board of education be abridged, and the commission or a majority thereof shall designate what wards are to be represented by the members of the council or board of education holding over until the expiration of their terms, and notify the mayor, council and board of education thereof, and new members shall be elected only in the wards left unrepresented after such redistricting and designation; as to said members of council or board of education, or other ward officers, section 1726 of the Revised Statutes shall at said next election after the passage of this act apply only so far as to require the publication of the proclamation therein named at least five days previous to the election.

How long di-
vision under
this act to last.

SECTION 5. The division made by said commission shall have the force and effect as if made by ordinance of the council, and said wards shall not again be changed until after the third regular meeting of the council after the annual municipal election next after such redistricting.

SECTION 6. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 27, 1890.
109G

[House Bill No. 152.]

AN ACT

To amend section 1777 of the Revised Statutes, as amended April 14, 1884, and section 1778 of the Revised Statutes.

Officers: pow-
ers and duties:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1777 of the Revised Statutes, as amended April 14, 1884 (O. L., 81, page 188), and section 1778 of the Revised Statutes be amended to read as follows:

City solicitor
shall apply
for injunction
in certain
cases.

Sec. 1777. He shall apply in the name of the corporation, to a court of competent jurisdiction for an order or injunction to restrain the misapplication of funds of the corporation, or the abuse of its corporate powers, or the execution or performance of any contract made in behalf of the corporation in contravention of the laws or ordinance governing the same, or which was procured by fraud or corruption. And he shall likewise, whenever an obligation or contract made on behalf of the corporation granting a right or easement, or creating a public duty, is being evaded or violated, apply for the forfeiture or the specific performance of the same as the nature of the case may require. And in case any officer or board fails to perform any duty expressly enjoined by law or ordinance, he shall apply to a court of competent jurisdiction for a writ of mandamus to compel the performance of such duty.

Sec. 1778. In case he fail upon the request of any taxpayer of the corporation to make the application provided for in the preceding section, it shall be lawful for such taxpayer to institute suit for such purpose in his own name, on behalf of the corporation; provided, that no such suit or proceeding shall be entertained by any court until such request shall have first been made in writing.

When taxpayer may institute suit.

SECTION 2. The said section 1777, as amended April 14, 1888, and said section 1778 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.

110G

[House Bill No. 288.]

AN ACT

To provide for redistricting cities of the third grade of the second class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in every city of the third grade of the second class, it shall be the duty of the mayor of such city, within ten days after the passage of this act, on petition of at least one hundred electors of said city, to appoint three electors who shall constitute a commission to redistrict such city.

Providing for redistricting cities of the third grade, second class.

SECTION 2. Said commission when so appointed shall take an oath faithfully to discharge their duties with impartiality, and shall immediately redistrict said city into wards, bounded by streets, alleys, avenues, public grounds, canals, water-courses, corporation lines, center lines of platted streets, or railroads, and composed of adjacent and compact territory, containing as nearly an equal number of inhabitants as in the opinion of said commission may be practicable and consecutively numbered.

Boundaries of wards, etc.

SECTION 3. The commission shall give notice of the proposed changes, by publication, for five days in two daily newspapers of general circulation in the corporation, and during said five days it shall be the duty of the commission to sit at least a part of each day in some public place, where said commission may hear and consider any complaints, objections or petitions that may be made against the proposed division of territory; when objections are made by one or more citizens, against any particular division or divisions proposed, it shall be the duty of the commission to carefully examine said objections, and if it appears, that for good reasons, the objections be well founded, the commission may make such alterations as may be deemed proper, and at the end of said five days, the commission shall cause

Commission to give notice by publication of meeting to hear complaints, etc., against proposition.

Duties of commission when objection is made.

City clerk to record plat of wards when boundaries have been fixed.

When election for ward officers to be held.

Division made by commission to have force and effect of ordinance of council.

copies of the plats of the wards, as finally adopted; to be made, with a description of the boundaries of the same, and shall deposit one copy certified by them with the mayor, and another with the city clerk who shall immediately record the same in the record book of general ordinances and the concurrence of two members of said commission shall be sufficient for the making of any order, or the validity of any act of the commission.

SECTION 4. No election of members of council or boards of education or ward officers shall be held until the next ensuing annual election for corporation officers, nor shall the term of office of any member of council or board of education be abridged, and if two or more members of the council or board of education, who hold over, reside in the same ward after redistricting, the commission shall designate what wards are to be represented by them respectively until the expiration of their terms and notify the mayor, council and board of education thereof, and new members shall be elected only in the wards left unrepresented after such redistricting.

SECTION 5. The division made by said commission shall have the same force and effect as if made by ordinance of council and said wards shall not again be changed until after the third regular meeting of council after the annual municipal election next after such redistricting.

SECTION 6. This act shall be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.

111G

[House Bill No. 353.]

AN ACT

To authorize the governor to execute a deed conveying certain land in Belmont county, Ohio, to the children and heirs-at-law of Joseph Carle, deceased.

Preamble.

WHEREAS, On the 10th day of August, A. D. 1850, George Meek, jr., purchased from the state of Ohio a part of section number sixteen (16), township number four (4), of range number three (3), York township, Belmont county, Ohio; and

WHEREAS, The said George Meek, jr., before entering into possession thereof, sold and conveyed by a good and sufficient deed all his right and interest in said land to Joseph Carle; and

WHEREAS, The said Joseph Carle purchased from said George Meek, jr., said land in good faith, and has long since paid to the state of Ohio the full contract price for said land, and has made permanent and valuable improvements thereon,

but has never received a deed from the state of Ohio for said land; and

WHEREAS, The said Joseph Carle, on or about the 22nd day of April, A. D. 1889, while in full possession of said lands, died, leaving as his children and heirs-at-law the following named persons, to-wit: Moriah Shipman, Mary E. Fulton, Noah B. Carle, Sarah J. Irwin, Belle Carle, Josephine Carle, G. G. Carle, J. W. Carle, Eliza A. Carle and Daniel W. Carle; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the governor is hereby authorized and directed, on demand, to execute a deed, conveying in fee simple to said Moriah Shipman, Mary E. Fulton, Noah B. Carle, W. R. Carle, Sarah J. Irwin, Belle Carle, Josephine Carle, G. G. Carle, J. W. Carle, Eliza A. Carle and Daniel W. Carle, heirs-at-law of said Joseph Carle, deceased, said land described as follows, to-wit: Situate in the township of York, county of Belmont, and state of Ohio, known and designated on plat and survey of said section number sixteen (16), as lot number three (3), beginning for the same at the north-west corner of said section sixteen (16), thence west one hundred and sixty-one poles (161) to a marked white oak tree; thence south one hundred and sixty-one (161) poles to the south-west corner of lot number two (2) in said section; thence west eighty-five (85) poles to a beech tree standing in a spring run; thence down said run south fifty-four and one-half ($54\frac{1}{2}$) degrees west, seventeen and twenty-hundredths (17.20) poles to a beech tree; thence south thirty-five (35) degrees west twenty-seven and forty-four hundredths (27.44) poles to a sugar tree; thence south twenty-eight (28) degrees west twenty-nine (29) poles to a walnut tree; thence south forty-nine (49) degrees west eighteen (18) poles to a white walnut tree; thence south seventy (70) degrees west twenty (20) poles to an ash tree; thence south seventy-four (74) degrees west thirteen and thirty-six hundredths (13.36) poles to a post on the west boundary of said section, from which a sugar tree twenty (20) inches in diameter bears north three (3) degrees east thirty-seven (37) poles, and running thence north two hundred and eighty-four (284) poles to the place of beginning, containing one hundred and ninety-one acres and one hundred and thirteen (191 and 113) perches of land.

Authorizing
the governor
to execute a
deed to the
heirs of Joseph
Carle.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.

[House Bill No. 356.]

AN ACT

To amend an act entitled "an act to establish an efficient and non-partisan board of public affairs in cities of the second class, third grade, having a population at the last federal census of twelve thousand one hundred and twenty-two," passed February 7, 1889 (O. L., vol. 86, pages 16 to 25, inclusive).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to establish an efficient and non-partisan board of public affairs in cities of the second class, third grade, having a population at the last federal census of twelve thousand one hundred and twenty-two," passed February 7, 1889 (O. L., vol. 86, pages 16 to 25, inclusive), be so amended as to read as follows:

Providing for the control and management of the police and fire department in certain cities.

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the second class, third grade, having a population at the last federal census of twelve thousand one hundred and twenty-two, the city council shall have the control and the management of the police and fire department of said city, and the mayor of said city the appointing of the superintendent of police and members of the police department, and the appointing of the chief of the fire department and members of the fire department, subject to the approval and confirmation by the city council.

Power of council in connection therewith.

Sec. 2. All powers and duties connected with, and incident to the regulation, government, and control of the police force and fire department of said cities, and all the powers and duties vested by law in the board of health in said cities, shall be vested in said city council. The office of city commissioner is hereby established, and he shall be elected by the qualified electors of said city at the same time other officers are elected, and shall give a good and sufficient bond for the faithful performance of the duties of his office in a sum not less than ten thousand dollars, with five or more sureties, and to be approved by the city council. The said board of health and said board of public affairs are hereby abolished, and said city council shall be considered in all respects the successor of the board of health and said board of public affairs. Said mayor shall appoint a superintendent of police, and a chief of the fire department, and a health officer, subject to approval and confirmation by the city council. The city commissioner shall be superintendent of streets and highways, and shall employ such superintendents, laborers and other persons as he may deem necessary for the cleaning, repairing and improving of the streets, alleys, avenues, bridges, etc., by and with the consent of council. After his election and qualification, so far as relates to the streets, avenues, bridges, parks, etc., he shall be under the control and authority of the city council, which city council shall, from month to month, by resolution, designate the total amount to be by him expended during that month upon the cleaning, repairing and improving of said streets, alleys, avenues, bridges, etc.; and any sum expended or authorized to be expended by said officer in excess of the amount designated in

said resolution shall be void as against the corporation, but binding on said officer and his bondsmen. And each member of council voting in the affirmative for the appropriation of money in excess of the amount set forth in said resolution, shall be liable to the corporation for said sum paid out in excess of the amount stated in the resolution. Council may appoint a city commissioner, who shall hold the office until after the April election, 1890, and until his successor is qualified.

Sec. 3. The mayor shall appoint all policemen and all officers for the police force, subject to the approval and confirmation of council. All appointments of officers for the police force, excepting the superintendent of police, shall, after the first appointment of such officers made hereunder, be by promotion from the grade next below. The mayor shall, within ten (10) days after the passage of this act, appoint a police force and officers thereof, a chief of the fire department and members thereof, pursuant to the provisions of this act and subject to approval and confirmation by council, and the present police force and officers thereof, the fire department and the officers thereof in such cities shall continue as such under the control and management of the council and mayor, appointed hereunder, only until the appointment and qualification of such new force and officers, but the superintendent of police shall immediately, upon his appointment and qualification, enter upon his duties; and as the appointment[s] of officers and members are within said ten days made by said mayor, such officers and members may be designated to take the place of officers and members of corresponding rank on the present force, who may be thereupon forthwith discharged by the mayor. Appointments of officers and members of the new force may be made agreeably to the provisions of this act from the officers and members of the present force or from the electors of such city, and no elector shall be eligible for any office unless a resident of the city for one year.

Mayor to appoint police force.

Sec. 4. The mayor shall have the power to appoint, subject to the approval and confirmation by council, a superintendent of police, a captain of police, and also regular or compensated patrolmen, not exceeding one to each eight hundred and fifty inhabitants of such city. The mayor may appoint [any] patrolmen on probation and may discharge those so appointed at any time within six months from the date of appointment; provided, that if patrolmen so appointed on probation and discharged shall demand it, the cause of his [their] discharge shall be assigned to him [them] by the mayor in writing. The mayor, by and with the consent of council, shall have the power, in case of emergency or special necessity, to appoint as many additional patrolmen as he shall think proper, which appointment shall continue only during the continuance of such emergency or special necessity as determined to exist by the council. The mayor shall appoint, by and with the consent of council, necessary subordinates, necessary to the efficient administration of the police laws and regulations, within the scale of the powers of said mayor. The mayor may appoint persons of suitable character, who may be in

What officers mayor may appoint and how.

the employment of the city in other branches or departments, special patrolmen or policemen; but such patrolmen or policemen shall not be paid for their services as such from the public funds of the city or county treasury; and such special patrolmen or policemen shall possess the same powers as the regular patrolmen, and shall obey the rules governing the police force, and conform to its general discipline.

Qualifications,
duties, etc., of
police and fire
department.

Sec. 5. The qualification, enumeration and distribution of duties of each member and officer of the police force shall be particularly defined and prescribed by rules and regulations of the council not inconsistent with the further provisions hereof. Each member and officer of the police force, and each appointee of the mayor, in any capacity, shall be an elector of the city in which he is appointed, and be able to read and write the English language understandingly. No person shall be appointed a member or officer of the police force, or officer or member of the fire department unless he is well known to be a man of sobriety and integrity, and has been and is an orderly and law-abiding citizen. No man shall be appointed a member or officer of the police force, or an officer or member of the fire department who has been convicted of any felony, or who has been convicted of any misdemeanor within three years previous to his appointment, or has been engaged in any unlawful calling, or has pursued any calling in a manner forbidden by law; nor shall any person be appointed a member or officer of said forces on account of any political partisan services rendered by him or on account of political sentiments or affiliations; nor shall any officer or member of said forces be discharged or removed, or reduced in grade or pay, for any political or partisan opinion. Their appointment and continuance upon said police force and in said fire department shall depend solely upon their willingness and ability to enforce the law and conform to and obey all rules. All appointments of the police force and in the fire department, of officers or members thereof, shall continue during good behavior, and continued ability fully to discharge the duties of the position. The mayor shall have power to call for information, to summon applicants for appointment before him for examination as to their fitness, to summon witnesses and to take any other lawful means which shall enable him to form a correct and intelligent judgment as to the fitness of applicants. No member or officer of the police force or member of the fire department shall, after his appointment by the mayor and confirmation by council, as herein directed, be removed from the force or reduced in grade or pay for any reason, except inefficiency, misconduct or insubordination, or violation of law; except that in cases of patrolmen appointed on probation, their discharge within six months from their appointment shall be in the discretion of the mayor.

Concerning
charges
against mem-
bers of police
or fire depart-
ment.

Sec. 6. Any person may prefer charges, which shall be signed by the person making same, against any officer or member of the police force or fire department, which charges shall be filed in the office of the mayor, and by him communicated without delay, to the council, whose duty it shall be to investigate and decide upon said charges. It shall be the

duty of the mayor, whenever probable cause appears, to prefer charges against any member or officer of the police force, whom he believes to have been guilty of any conduct justifying his removal or punishment, in the interest of public order; in any case where charges have been made against any officer or member of the police force, the mayor or council, or against any officer or member of the fire department, the chief of the fire department, or the council may suspend from duty, or from both pay and duty, the officer or member against whom such charges have been made; and such suspended officer or member shall not be placed upon duty or allowed pay after suspension therefrom pending the action of the council upon such charges. All such charges against members or officers of the police force or fire department shall be forthwith filed by the mayor in the office of the city clerk, and at the next regular meeting after such filing, the council shall proceed to hear and examine said charges. All charges shall be taken as denied, and the hearing shall be summary and without pleading, and the action of the council thereon shall be final. A record of charges and findings shall be made by the council and kept in the city clerk's office. The council shall have power to, and shall issue subpoenas, attested in the name of the acting president of the council, to compel the attendance of witnesses, to administer oaths, and generally shall, for the purpose of such hearing, have and exercise the powers and duties of justices of the peace in civil cases, so far as the same are applicable. If, on such hearing, the charges are sustained, the officer or member of the force shall pay the costs of such proceedings, and the same may be deducted and withheld from his pay. The council may discharge, suspend, or reduce the grade and pay of any person found guilty as above. No officer or member of the police force or the fire department who has been found guilty and discharged, shall ever be eligible for re-appointment to the force in any capacity whatever, unless it shall be afterwards proved to the council that their decision was erroneous and that, in fact, he was not guilty of the offense for which he was dismissed.

Sec. 7. The superintendent of police shall receive a salary not exceeding one thousand dollars per annum; each captain of police shall receive a salary not exceeding eight hundred dollars per annum, and the pay of each patrolman shall not exceed the sum of seven hundred and twenty dollars per annum. The city commissioner shall receive a salary not exceeding eight hundred dollars per annum.

Salaries of
police force
and city
commissioner.

Sec. 8. The salaries of officers and the pay of the patrolmen, provided for in section seven hereof, shall be fixed by the council, and shall be paid monthly to each person entitled thereto. The compensation of station house keepers and other subordinates shall be fixed by the council, and shall be paid monthly.

Council to fix
salaries.

Sec. 9. No officer or member of the police force shall, for his own benefit, under any pretense whatever, receive or share in any present, fee, gift, or emolument for public ser-

Rules in refer-
ence to police

vices, other than the regular salary and pay, except by the consent of the council publicly given; nor shall any officer or member share in or receive any fee, gift or reward from any person who may become bail for any arrested, accused or convicted person, or may become surety for any such person on error to judgment or decision of any court or magistrate, or any fee, gift or reward, in any case from an attorney at law who may prosecute or defend any person arrested or prosecuted for any offense within the county in which said city may be situated; nor shall any officer or member, either directly or indirectly, interest himself or interfere in any manner whatever in the employment of any attorney to aid in the defense of any person arrested or accused; and for any violation of either of the foregoing provisions, the person or persons so offending shall be immediately removed from the police force.

Power of council over police.

Sec. 10. The council shall possess full power and authority of the police organization, government, and discipline within such city, and shall have possession and control of all property, books, records and equipments belonging to the police department or under the control of the police authorities. In case of riot or insurrection, or any like emergency within such city, which, in the judgment of the mayor, requires the intervention of the police force, he shall have the power to call out the whole force and control the same and the officers thereof, during the emergency.

Duty of mayor and police force.

Sec. 11. It shall be the duty of the mayor and the police force hereby constituted, at all times of the day and night, within the boundaries of the city, to preserve the public peace, prevent crime, arrest offenders, protect rights of person and property, guard the public health, preserve order, remove nuisances existing in public streets, roads, places and highways, keep street crossings over steam railroads open and free from obstruction by cars, trains, locomotives, etc., report all leaks or other defects in water pipes, sewers and gas pipes, and outs of street lamps, to the proper authorities, to provide a proper force at every fire, in order that thereby the firemen and property may be protected, to protect strangers and travelers at railroad stations, and generally to obey and enforce all ordinances of the city council, and criminal laws of the state and of the United States, and perform such duties as sanitary police as may be required by the rules and regulations of the city council.

Members of police force to take oath.

Sec. 12. Each officer and member of the police force, before entering upon the discharge of his duties, shall take an oath before the mayor, who is hereby authorized and empowered to administer the same, to well and faithfully discharge the duties of his office, which oath shall be subscribed by the person taking it, and shall be filed and preserved in the city clerk's office. The superintendent of police shall give a bond for the faithful discharge of his duties, in the sum of three thousand dollars, to be approved by the council, which bond shall be filed with the city clerk, and thereafter, under the direction and control of the council, such superintendent of police shall have the command and control of such police force of

such city. Each regular captain of police and each regular patrolman shall give a bond in the sum of one thousand dollars; each of said bonds shall require the approval of the council, shall be conditioned for the faithful discharge of the duties of the person giving the same, and shall be filed in the office of the city clerk duly approved, before the person giving the same shall enter upon the discharge of his duties.

Sec. 13. The council shall cause to be prepared a convenient manual, containing a compend of all the laws and ordinances which the police force is required to obey or enforce, and such instructions as shall aid them in the intelligent discharge of their duty. Each officer and member of the force shall be supplied with a copy, for the preservation of which he shall be held responsible, as for other public property. It shall be the duty of every officer and member of the force to make himself acquainted with the directions contained in the manual, and in every way to become familiar with all the duties of his position. The superintendent shall be especially charged with the duty of instructing members and officers of the force in their duties and from time to time examining them as to their knowledge of the requirements of their position. It shall furthermore be the duty of the council, at least twice in each year, to require the examination and inspection of the entire force, and for this purpose the council shall appoint one of its members as examiner to assist the superintendent in such general examinations. Gross ignorance of the laws and regulations governing the police force after six months' service as officer or member shall be deemed conclusive proof of inefficiency, and shall require the removal of such officer or member of the force.

Council to
prepare man-
ual for police.

Sec. 14. It is hereby made the duty of the mayor and the committee on police, where the same has not already been done, for more effectually distributing and enforcing its police government and discipline, to divide the city into precincts without regard to ward boundaries, to promulgate all regulations or orders through the superintendent of police, and the police force shall respect and obey the superintendent, subject to the rules and regulations and general orders of the council and mayor.

Duty of mayor
and commit-
tee on police.

Sec. 15. The mayor may, on the application of any person who shows the necessity thereof, appoint any number of private patrolmen to do duty at any place within the city, at the charge and expense of the person by whom the application is made, and the patrolmen so appointed, after being sworn, shall be subject to the orders of the mayor, and obey the rules and regulations of the council and conform to its general discipline, and to such other special regulations as may be made, and shall wear such dress or emblem as the council and mayor may direct, and during their term of holding appointment they shall possess all the powers and privileges, and perform all the duties of the patrol force herein prescribed.

When mayor
may appoint
private patrol-
men.

Sec. 16. Every case of arrest shall be made known to

Arrest to be

made known
as soon as
practicable.

the officer upon duty, by the person making the same, and it shall be the duty of said officer, as soon as practicable after such notice, to make a written return thereof, according to the rules and regulations of the council, together with the name of the party arrested, the offense, the place of arrest, and the place of detention.

Superintendent
of police to
make daily
reports.

Sec. 17. The superintendent of police shall make to the mayor daily reports of such facts as may come to his knowledge from the patrolmen; and the mayor shall make to the council monthly reports in writing of the police force, with such statistics and suggestions as he may deem advisable for the enforcement of public government and discipline, and such other information as council may require of him.

Exemptions
under this act.

Sec. 18. No person holding office under this act shall be liable to military or jury duty, or to arrest on civil process, or to service of subpoenas from civil courts, while actually on duty.

Uniforms and
badges.

Sec. 19. Every officer and member of the police force, while on duty, shall wear a uniform, to be prescribed by the council, and shall, at all times, in public, wear a badge of his office, to be furnished by the council.

Notice of res-
ignation to be
given.

Sec. 20. No officer or member of the police force, under penalty of forfeiting the pay which may be due him, shall withdraw or resign, unless he shall give two weeks' notice thereof in writing to the superintendent of police.

Duty of police
on election
day.

Sec. 21. The superintendent of police shall detail, on the day of any election in said city, one or more patrolmen, as he may deem necessary, to each election poll, to aid in the preservation of order and the protection of voters and challengers, and such patrolmen shall be subject to the lawful orders of the judges of said election, given for the enforcement of law, and for the protection of the rights of electors, and the preservation of the purity of the ballot.

Superintendent
to report
crimes.

Sec. 22. When a crime is committed in such city, whether the person accused or suspected flees from justice or not, the superintendent of police shall immediately report to the mayor all the facts that may have come to his knowledge concerning the offense, or the accused or suspected person; and the mayor may, in his discretion, authorize any person belonging to the force to pursue and arrest such accused or suspected person and return him to the proper criminal court.

Contingent
fund.

Sec. 23. All moneys collected by the mayor or police court of such cities on account of the service by the police force of writs issued by such court or mayor, shall be monthly paid to the city treasurer, and shall constitute a fund, to be called the contingent fund, and out of which fund shall be paid, so far as practicable, all incidental or extraordinary expenses incurred by the police department.

Mayor to ap-
point members
of fire depart-
ment.

Sec. 24. Said mayor shall, within ten days after the passage of this bill [act], appoint members of the fire department, to consist of six stationary men, nine runners, three drivers, and one hook and ladder company, consisting of one captain, one steersman, and four ladder men, and council shall prescribe rules and regulations for the government of the same. The

chief of the fire department shall have command and control of said fire department, under the direction and control of the council. Each member of said fire department, before entering upon the discharge of his duties, shall take an oath that he will faithfully observe and obey the laws and ordinances of said city, and the rules and regulations of said department.

Sec. 25. The chief of said fire department shall receive a salary not exceeding eight hundred dollars per annum; each stationary man, driver, and steersman, shall receive a salary not exceeding six hundred and sixty dollars per annum; each runner shall receive a salary not exceeding two hundred and forty dollars per annum; each ladderman shall receive a salary not exceeding eighty-four dollars per annum; and the captain of the hook and ladder company shall receive a salary not exceeding one hundred and twenty dollars per annum, to be paid monthly out of the city treasury on the order of the city council. Said chief of the fire department shall give a bond for the faithful discharge of his duties in the sum of ten thousand dollars; and each member of the fire department shall give bond, conditioned for the faithful discharge of his duties, in the sum of one thousand dollars. Said bonds to be approved by the council.

Salaries of the fire department.

Sec. 26. Said council shall have possession and control of all property, fire engines, horses, wagons, etc., and the fire alarm telegraph, and everything connected with said fire department.

Council to control property of fire department.

Sec. 27. The necessary cost and expense of providing for, and the maintenance of these departments under the control of the council shall be a city charge, and all moneys now in the city treasury to the credit of the street, sanitary, etc., the bridge or fire department and police funds shall be subject to the order of the city council. Said mayor shall audit all claims of salaries in the police department, once in each month and prepare a pay-roll, showing the person or persons to whom the money is payable, and for what payable, and certify said pay-roll up to the committee on claims of the city council, to be by it placed upon the pay-roll of the said city, if approved by a majority of said city council, and paid in like manner as other claims are paid, by ordinance appropriating money for the payment of the same. And the chief of the fire department shall audit and approve, in like manner, salaries, claims, etc., in the fire department. The city commissioner shall audit and approve, in like manner, all salaries, claims, etc., in street department.

Expenses of departments: how paid.

Sec. 28. The city council may, when it deems it expedient and for the health of the city, create by ordinance the office of health officer, who shall be appointed by the mayor, subject to the approval and confirmation by the council, who shall also perform the duties of meat and milk inspector, and who shall gather and compile all the vital statistics required by the state laws and ordinances of said city, now in force or which may hereafter be passed. The said health officer shall receive a salary, which shall be fixed by council, and which shall not exceed three hundred dollars per annum.

Council may create office of health officer.

How appointments made under this act.

Sec. 29. Except as otherwise provided, the appointment of [to] every office created by law or ordinance shall be made by the mayor, with the advice and consent of the council; the concurrence of a majority of all the members elected shall be required to confirm an appointment, and in every vote on confirmation, the names of those voting, and how they voted shall be recorded.

Certain sections made applicable; repeals.

Sec. 30. That said sections 1953, 1954, 1955, 1956, 1957, 1963, 1964, 1972, 1980, 1981 of the Revised Statutes, be and the same are hereby made applicable to cities of the second class and third grade, having a population at the last federal census of twelve thousand one hundred and twenty-two, as though said sections were in this act repeated, and that the mayor shall in all cases be considered the successor of the board as far as may be applicable in these sections. That section 1945, as amended April 19, 1881; 1998, as amended April 9, 1884; 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, as amended April 9, 1884, section 1683, be and the same are hereby repealed, in so far as they may apply to cities of the second class and third grade, having a population at the last federal census of twelve thousand one hundred and twenty-two; that all acts and parts of acts inconsistent or in conflict with the provisions of this act be and the same are hereby repealed, in so far as they may apply to cities of the second class and third grade, having a population at the last federal census of twelve thousand one hundred and twenty-two; and that all ordinances of such cities aforesaid heretofore adopted, which may be inconsistent or in conflict with the provisions of this act, be and the same are hereby set aside, repealed and held for naught in so far as the same are inconsistent or in conflict with the provisions of this act.

Repeal.

SECTION 2. That said original act entitled "an act to establish an efficient and non-partisan board of public affairs in cities of the second class, third grade, having at the last federal census a population of twelve thousand one hundred and twenty-two," passed February 7, 1889 (O. L., vol. 86, pp. 16 to 25, inclusive), be and the same is hereby repealed; and that this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
113G

[House Bill No. 446.]

AN ACT

To provide for the organization and management of agricultural societies in certain counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in counties having, at the last federal census, seventy-eight thousand five hundred and fifty inhabitants, the agricultural society shall be governed by a board of directors consisting of one member from each township and eight members from any city of the second class in such county, to be styled "the county agricultural board."

Providing a "county agricultural board" in certain counties.

SECTION 2. That for the purposes herein, the townships in such county shall be divided into two classes, in alphabetical order; that in Montgomery county, the townships of Butler, Clay, German, Harrison, Jackson, Jefferson and Madison, shall constitute the first class and the townships of Mad River, Miami, Perry, Randolph, Van Buren, Washington and Wayne, shall constitute the second class.

Townships to be divided into classes.

SECTION 3. At the annual election on the first Monday in April, 1890, in each township of the first class there shall be elected by the qualified electors thereof one member of the agricultural board for one year, and at the annual election on the first Monday in April, 1891, and biennially thereafter there shall be elected in each township of the first class one member of the agricultural board for two years; at the annual election on the first Monday in April, 1890, and biennially thereafter in each township of the second class there shall be elected by the qualified electors thereof one member of the agricultural board for two years; on or before the first Monday in May, 1890, in said city of the second class there shall be elected by the city council thereof eight members of the agricultural board, to be equally divided between the two principal political parties, four for the term of one year and four for the term of two years; and annually thereafter in said city four members of the agricultural board shall be elected by the council as aforesaid for two years.

Election of members; term, etc.

SECTION 4. The election of members of the agricultural board in said townships shall be governed in all respects by the same laws governing the election of township officers, and the township clerks shall issue certificates of election to such members-elect as required by law for township officers; each person receiving such notice of election shall within ten days thereafter appear before some officer authorized to administer oaths, and take an oath to faithfully perform the duties of the office, and the officer administering such oath shall issue a certificate of qualification to the officer so qualified.

Certain members to be elected by council.

Laws governing election; duty of clerk as to certificates, etc.

SECTION 5. The members so elected and qualified shall assemble at the court house in said county on the first Saturday in May, 1890, at two o'clock p. m., and at such place after the first meeting as the board may indicate, and there proceed to elect a president, vice-president, secretary and treasurer, such officers to serve for one year and

Organization of board.

until their successors are elected. The president and vice-president shall be members of said board.

Powers and
duties of
board.

SECTION 6. The agricultural board when so organized shall supersede the incumbent county agricultural board, and said board shall have all the power and be governed by such laws and regulations as govern county agricultural societies and not inconsistent herewith.

SECTION 7. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.

114G

[House Bill No. 569.]

AN ACT

To amend section 3959 of the Revised Statutes.

School funds:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3959 of the Revised Statutes be amended so as to read as follows:

Maximum of
levy.

Sec. 3959. Such estimate and levy shall not exceed, in cities of the first grade of the first class three and one-fourth mills, provided however that the board of education in said cities may levy one mill additional for every five thousand pupils over and above twenty-five thousand enrolled in the public schools of said cities, which levy however shall in no case exceed four mills and in all other districts seven mills on each dollar of valuation of taxable property.

SECTION 2. That said original section 3959 of the Revised Statutes of Ohio be and the same is hereby repealed and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.

115G

[House Bill No. 592.]

AN ACT

To authorize the council of any incorporated village in the state of Ohio, which at the last federal census contained, or which at any subsequent federal census may contain a population of not less than 1,932, nor more than 1,940, to issue bonds, and to levy taxes for the payment of the same and the interest thereon.

Certain vil-
lages author-
ized to borrow

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in the

State of Ohio, which at the last federal census contained, or which at any subsequent federal census may contain a population of not less than 1,932, nor more than 1,940, be and is hereby authorized to borrow not to exceed forty thousand dollars (\$40,000), to be applied to the general improvement and benefit of such village.

money for
general im-
provement

SECTION 2. That for the purpose of meeting the expenses aforesaid, the council of any such village is authorized to issue bonds, to be signed by the mayor and attested by the clerk of such village, in denominations of not less than five hundred dollars (\$500), and not more than one thousand dollars (\$1,000), bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding forty years from their respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at the office of the treasurer of such village.

Bonds: de-
nomination;
rate of inter-
est, etc.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of such village a tax for such an amount annually, not exceeding two mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of the county, collected as other taxes, and when collected paid over to the treasurer of such village.

Levy of tax.

SECTION 4. That before such bonds shall be issued or tax levied, the question of issuing said bonds and levying said tax shall be submitted to the qualified voters of such village, at a regular municipal or general election, or at a special election called for that purpose, of which ten days' notice shall be given in two newspapers printed and in general circulation in such village, designating the amount of bonds proposed to be issued, and the purpose for which issued. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words, "Issue of bonds—Yes;" and those voting against the same, the words, "Issue of bonds—No;" and if two-thirds of the votes cast at said election shall be in favor of issuing such bonds, then the council of such village shall have authority at any time thereafter to issue and sell said bonds as herein provided.

Question of
issue to be
submitted to
vote.

Ballots.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.

116G

[Senate Bill No. 146.]

AN ACT

Supplementary to section 1718 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 1718 of the Revised Statutes of Ohio:

Providing for
appointment
of assessors in
certain cities.

Compensation.

Sec. 1718b. In every city of the second grade of the first class, not exceeding twenty assessors shall be appointed by the tax commission, such appointments to be equally from the two political parties having cast the highest vote at the last preceding county election, who shall hold their office for the period of one year, or at the pleasure of said tax commission, and each assessor shall receive for services a compensation of four dollars per day for each day actually employed in the performance of his duties, to be paid out of the county treasury. Every assessor so appointed shall, in addition to the general duties hereinafter prescribed, perform the same duties as are provided with respect to township assessors, and before entering upon his office shall take an oath and give bond in the sum of one thousand dollars, payable to the state, with two or more freehold sureties, approved by said tax commission, conditioned for the faithful and impartial performance of all his duties so prescribed, which bond, with his oath of office indorsed thereon, shall be filed and preserved by the county auditor in his office. No person shall be appointed or shall hold the office of assessor under the provisions of this section, who holds or is elected to any national, state, county, municipal or township office; or who is an employe of any national, state, county, municipal or township officer.

SECTION 2. This act shall take effect and be in force from the day of its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.

117G

[House Bill No. 490]

AN ACT

To authorize the council of any village of this state, containing at the last federal census, or which, at any subsequent federal census may have a population of not less than 2,665, nor more than 2,667, to borrow money and issue bonds therefor, for the purpose of buying or leasing lands, sinking wells for natural gas, purchasing and laying pipes and supplying such village and the citizens thereof with natural gas for public and private use and consumption.

Certain vil-
lages author-
ized to borro-
money for na-
tural gas pur-
poses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village of this state, containing at the last federal census, or which, at any subsequent federal census may have a population of not less than 2,665

nor more than 2,667, be and the same is hereby authorized and empowered to purchase or lease lands to an extent necessary for the purpose of sinking wells thereon for natural gas, to purchase and lay pipes and procure the right of way for laying the same, to erect, construct and furnish the necessary buildings, fixtures and machinery for the purpose, and to furnish such village and the citizens thereof with natural gas for public and private use and consumption. Provided, however, that the council of such village shall not purchase the lands, rights, franchises or property of any natural gas or oil company now, or which may hereafter be, organized for the purpose of boring for natural gas or oil.

SECTION 2. That to provide the money necessary to carry out the provisions of the first section of this act, the council of any such village is hereby authorized and empowered to borrow not exceeding five thousand dollars (\$5,000) and issue the bonds of the village therefor. Such bonds shall be in denominations of not less than one hundred dollars nor more than five hundred dollars, said bonds and interest payable at such place, and at such times, not exceeding twenty years from the date of issue, as the village council may by resolution determine, which bonds shall bear interest at a rate not exceeding six per cent. per annum. They shall express upon their faces the purpose for which and designate the act under which issued. They shall be signed by the mayor, with the seal of the village attached, and shall be countersigned and registered by the city clerk, and shall not be sold for less than their par value.

Bonds: denomination; interest, etc.

SECTION 3 If any bonds of said village be issued as herein provided, the council of said village is hereby authorized and required, annually thereafter, until the same and interest thereon shall be fully paid, to assess and levy a tax, on all the taxable property within the corporate limits of said village, sufficient, in addition to the taxes now or which may hereafter be authorized by law, to provide for the payment of the interest accruing upon the bonds so issued, and also to provide, by means of a sinking fund, or otherwise, for the payment of the principal of such bonds as they mature, which said levy shall be placed upon the tax duplicate of said county and collected as other taxes; provided, that said levy shall not in any one year exceed four mills on each dollar of property subject to taxation in said village.

Levy of tax.

SECTION 4. Before such bonds or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of such village at a special election, to be held at such time as the council of such village may appoint, and at the usual places of voting in such village. The tickets voted at such election shall have written or printed thereon the words, "For natural gas bonds—Yes," or "For natural gas bonds—No." If the proposition to issue bonds be approved by two-thirds or more of those voting thereon at such election, then such village shall have authority to issue such bonds for the purposes named, and as provided in this act. Notice of such special election shall be

Question of issue to be submitted to vote.

published in two newspapers published in or circulating in such village, for not less than ten days prior to such election, which shall, in all respects not otherwise herein provided, be managed and controlled as municipal elections are or may be required by law to be held in any such village.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
118G

[House Bill No. 596.]

AN ACT

To authorize the trustees of any township in the state which at the last federal census had, or at any subsequent federal census may have a population of not less than 1,908, nor more than 1,912, to issue bonds for the purpose of developing natural gas or oil wells.

Authorizing
trustees of
certain town-
ships to issue
bonds for
natural gas
purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of any township within this state which at the last federal census had, or at any subsequent federal census may have a population of not less than 1,908, nor more than 1,912, is hereby authorized and empowered to issue bonds, not exceeding in amount the sum of six thousand dollars, for the purpose of developing natural gas or oil wells within or without the limits of such township. Such bonds shall be signed by the trustees of such township and countersigned and registered by the clerk thereof, and may be issued in any sum as the trustees may determine, bearing interest not exceeding six per centum per annum, payable semi-annually, running not to exceed ten years from date of issue, and shall be payable in such amounts each year as the trustees of such township may determine; and said bonds shall not be sold for less than their par value.

Levy of tax.

SECTION 2. For the payment and interest of said bonds, as the same shall become due, the trustees of such township are hereby authorized and required to levy a tax on all taxable property within the limits of such township, in such amounts each year as will meet the principal and interest then falling due upon said bonds, which levy shall be placed upon the tax duplicate of such township by the county auditor, and collected as other taxes.

Question of
issue to be sub-
mitted to vote.

SECTION 3. Provided, that such bonds shall not be issued nor tax levied until the question shall have been first submitted to a vote of the qualified electors of such township at the election on the first Monday of April, A. D. 1890, or at any special or general election, at least ten (10) days' notice to be given by publishing in some newspaper published in said township notice of such an election, also posting in ten of the most public places in such township notice of such an election. At said election all those who are in favor of issu-

ing said bonds and levying said tax shall have written or printed on their ballots the words, "Issue of bonds—Yes;" and those who are opposed to the issuing of said bonds and levying said tax shall have written or printed on their ballots the words, "Issue of bonds—No;" no bonds shall be issued or tax levied under this act unless two-thirds of all the votes cast on said proposition at said election shall be in favor of such issue and levy.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
119G

[House Bill No. 119.]

AN ACT

To exempt from taxation, property held by G. A. R. posts, or union veterans' union, the same being to create a benevolent fund to assist indigent comrades and the widows and orphans of those deceased.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all property, real or personal, belonging to, or which may hereafter belong to any incorporated post of the grand army of the republic, or union veterans' union, which is intended to create a fund to be used for the care and maintenance of indigent soldiers of the late war, and the widows and orphans of those deceased, such property, real or personal, and the interest or income derived therefrom, shall not be deemed taxable under any law of this state; and the trustees of such incorporated G. A. R. post or union veterans' union, shall not be required to return or list the same for taxation.

Exempting
property
G. A. R. posts
from taxation.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 2, 1890.
120G

[House Bill No. 311.]

AN ACT

For the better protection of skilled labor, and for the registration of labels, marks, names, brands or devices covering the products of such labor of associations or unions of workingmen or women.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every union or association of workingmen or women, adopting a label, mark, name, brand or device, intending to designate the products of the labor of members of

Providing for
the protection
of skilled labor
by registration
of labels, trade
marks, etc.

such union or association of workingmen or women shall, in order to obtain the benefits of this act, file duplicate copies of such label, mark, name, brand or device in the office of the secretary of state, who shall, under his hand and seal, deliver to the party filing or registering the same a certified copy and a certificate of the filing thereof, for which he shall receive a fee of one dollar.

Manufacture,
use, display,
etc., of coun-
terfeits may be
enjoined.

SECTION 2. Every union or association of workingmen or women adopting such label, mark, name, brand or device, and filing the same as specified in the first section of this act, may proceed, by suit in any of the courts of record in the state, to enjoin the manufacture, use, display or sale of counterfeits or colorable imitations of such label, mark, name, brand or device, or of goods bearing the same; and the court having jurisdiction of the parties shall grant an injunction restraining such wrongful manufacture, use, display or sale of such counterfeits or colorable imitations, and of goods bearing the same, and shall award to the complainants such damages resulting from such wrongful manufacture, use, display or sale, as may be proved, and shall require the defendant to pay to the complainants the profits derived from such wrongful manufacture, use, display or sale, or both profits and damages.

Damages, etc.

SECTION 3. In like manner the courts of record of this state shall, in a suit brought by a union or association of workingmen or women, restrain by injunction every unauthorized use or display by others of the genuine labels, marks, names, brands or devices registered in the manner specified in the first section of this act, in all cases where such use or display is not authorized by the owner or owners thereof; and shall award damages and profits in such cases the same as in cases of the use of counterfeited labels, marks, names, brands or devices.

Certificates not
assignable.

SECTION 4. In no case shall the certificate from the secretary of state, obtained in conformity with the first section of this act, be assignable by the party to whom the same is issued.

SECTION 5. That this act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 2, 1890.

121G

[House Bill No. 467.]

AN ACT

To amend an act entitled "an act to compel children under fourteen years of age to attend school a certain length of time each year," passed April 15, 1889 (O. L., [vol. 86,] page 333).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 1, 3, 4, 6, 7, 8 and 11 of the above recited act be so amended as to read as follows:

Sec. 1. That all parents, guardians and other persons who have care of children shall instruct them or cause them to be instructed, in spelling, reading, writing, English grammar, geography and arithmetic, and every parent, guardian, or other person having control and charge of any child between the ages of eight and fourteen years, shall be required to send any such child or children to a public or private school for a period of not less than twenty weeks in city districts in each year, ten weeks of which, at least, shall be consecutive, and in special, village and township districts not less than sixteen weeks in each year, eight of which shall be consecutive, unless such child or children are excused from such attendance by the superintendent of the public, private or parochial schools in cities, or by authority of the board of education in special, village and township districts, when it shall have been shown to the satisfaction of said superintendent, or said board, that the physical or mental condition of such child or children has been such as to prevent his, her or their attendance at school, or that said child or children are taught at home by some qualified person or persons in such branches as are usually taught in primary schools.

Children between eight and fourteen years compelled to attend school.

Sec. 3. That all minors over the age of fourteen, and under sixteen years, who can not read and write the English language, shall be required to attend school at least one-half of each day, or to attend some evening school organized and maintained by the board of education, or to take regular private instruction from some person qualified, in the opinion of the superintendent of schools in cities, and the clerk of the board of education in special, village and township districts to teach such branches until he or she shall obtain a certificate from the superintendent of schools in cities and the clerk of the board of education in special, village and township districts, certifying that said minor can read at sight and write legibly simple sentences in the English language, and every person, company or corporation having such minor in employment shall be required to exact such school attendance from such minor, and be prepared, upon demand of the hereinbefore mentioned officer, to furnish evidence that such minor does comply with the requirements of this act, and any person, company or corporation failing or neglecting to exact such school attendance from such minors shall be liable as provided for in section 2 of this act, provided such person, company or corporation shall not have made provision for the private instruction of such minors.

Regarding minors over fourteen and under sixteen who cannot read and write English.

Sec. 4. That every parent, guardian or other person having charge or control of any child under the age of sixteen, who has been discharged from any business in order to be afforded an opportunity to receive instructions or schooling, shall send such child to some public or private school until such child shall have acquired such instruction as section 3 of this act requires, and in case of failure on the part of said parent, guardian or other person to comply with the provisions of this section and of section 1 of this act, unless such child shall have been excused from such attendance by the superintendent of public schools or the clerk of the board of

Where children have been discharged from employment by reason of this act.

education in special, village and township districts for reasons stated in section 1 of this act, such parent, guardian or other person shall be deemed guilty of a misdemeanor, and shall, on conviction, be liable to fine of not less than five dollars or not more than twenty dollars for the first offense, and not less than twenty for each subsequent offense, or to imprisonment for not less than one month nor more than three. The said fines, when paid, to be added to the public school funds of such school district in which the offense occurs.

Truant officers
to be employed
in certain
cities.

Sec. 6. That in cities of the first and second class the board of education of said cities shall be required to employ one truant officer to assist in the enforcement of this act, said truant officer to be vested with police powers, and shall be authorized to enter factories, workshops, stores, and all other places where children may be employed, and perform such other services as the superintendent of schools or the board of education may deem necessary to the preservation of the morals and good conduct of school children, and for the enforcement of this act, and in special, village and township districts the board of education shall be required to appoint some constable or other person as truant officer, with same power as said officers have in said cities, and the compensation of such officers shall be fixed by the board of education.

Truant officers
to make daily
reports.

Sec. 7. That the truant officers shall make daily reports to the superintendent of public schools during the school term in cities, and to the clerk of the board of education as often as the clerk shall require it to be done in special, village and township districts, and he shall also keep a record of his transactions, subject to the inspection of the members and officers of the board of education, and it shall be the duty of the clerk of the board of education to provide suitable blanks for said truant officer.

Duty of truant
officers.

Sec. 8. That it shall be the duty of all truant officers to examine into all cases of truancy when any such comes before their notice, or when requested to do so by the superintendent of public schools, or by the board of education, and to warn such truants, their parents or guardians, in writing of the final consequences of truancy if persisted in, and also to notify the parent, guardian or other person having the charge or control of any child between the age of eight and fourteen years, that the said child is not attending any school, and to require said parent, guardian or other person to cause the said child to attend some recognized school within five days from said notice, and it shall be the duty of said parent, guardian or other person having the legal charge and control of said child, to cause the attendance of said child at some recognized school; if said parent, guardian or other person having the legal charge and control of said child, shall willfully neglect, fail or refuse to cause said child to attend some recognized school, it shall be the duty of said officers to make, or cause to be made, a complaint against said parent, guardian or other person having the legal charge or control of such child, in any court of competent jurisdiction in the city, special, village or township district in which the offense occurred, for such refusal, failure or neglect, and upon conviction

Complaints,
etc.

thereof said parent, guardian or other person, as the case may be, shall be punished by a fine of not less than five dollars nor more than twenty dollars, or the court may, in its discretion, require persons so convicted to give bonds in the penal sum of one hundred dollars, with one or more sureties to be approved by said court, conditioned that said persons so convicted shall cause the child or children under his or her legal charge or control to attend some recognized school within five days thereafter, and to remain at said school during the term prescribed by law; provided, that if said parent, guardian or other person in charge of such child shall prove inability to cause said child to attend said recognized school, then said parent, guardian or other person shall be discharged, and said court, upon complaint of said truant officer or other person, that said child is a juvenile disorderly person, as described in section 5 of this act, proceed to hear such complaint, and if said court shall determine that said child is a juvenile disorderly person within the meaning of this act, such child shall be deemed guilty of misdemeanor, and said court shall thereupon sentence said child to some juvenile reformatory; provided, that no child or children over ten years old shall be sentenced by any court to a county children's home; and that when in the judgment of the trustees of any such home, it shall be declared by resolution at a regular meeting by them held, that the character of any child thus sentenced, and kept at such home, is vicious and so bad as to be detrimental and harmful to the habits and good morals of other children at such home, said trustees are hereby authorized and empowered to remove such child or children, to the boys' industrial school at Lancaster, Ohio, or the girls' industrial home at Delaware, Ohio, as the case may be; nor shall such child or children be kept at any such home beyond the period prescribed in section one, until such child shall arrive at the age of sixteen years, unless sooner discharged by the board of trustees of said reformatory or home. Provided, however, that said sentence may be suspended in the discretion of the court, for such time as the child shall regularly attend school and properly deport himself or herself. It is further provided, that if for any cause the parent, guardian or other person having charge of any juvenile disorderly person, as defined in this act, shall fail to cause such juvenile disorderly person to attend said recognized school, then complaint against such juvenile disorderly person may be made, heard and tried and determined in the same manner as provided for in case the parent pleads inability to cause said juvenile disorderly person to attend said recognized school; and it is further provided, that no child under the age of nine years shall be sent to any juvenile reformatory under the provisions of this act.

Neglect of
parent, etc.:
penalty, for.

When juvenile
disorderly per-
son may be
sent to reform-
atory, institu-
tion.

Sec. 11. That it shall be the duty of all principals and teachers of all schools, public and private, to report to the clerk of the board of education of the city, special, village or township districts, in which schools are situated, the names, ages and residence of all pupils in attendance at their schools, to-

Duty of
teachers and
principals
under this act.

gether with such other facts as said clerk may require, in order to facilitate the carrying out of the provisions of this act, and the said clerk shall furnish blanks for said purpose, and said reports shall be made in the last week of September, December, February and April in each year.

SECTION 2. That sections 1, 3, 4, 6, 7, 8 and 11 of the act entitled "an act to compel children under fourteen years of age to attend school a certain length of time each year," passed April 15, 1889 (O. L., [vol. 86.] p. 333), be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 2, 1890.

122G

[House Bill No. 725.]

AN ACT

To authorize any village in the state of Ohio which at the last federal census had, or which at any subsequent federal census may have a population of not less than six hundred and seventy-five (675), nor greater than six hundred and eighty (680), to issue bonds for the purpose of improving their streets.

Certain villages authorized to issue bonds for improving streets.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any village within this state which at the last federal census had, or which at any subsequent federal census may have a population of not less than six hundred and seventy-five (675), nor greater than six hundred and eighty (680), be and the same are [is] hereby authorized to issue the bonds of said village in any sum or sums not exceeding fifteen thousand (\$15,000) dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, for the purpose of improving their streets by paving or otherwise.

Levy of tax.

SECTION 2. The principal of said bonds shall be payable at such place, and at such times, not exceeding ten years from date of issue, as the council of said village may, by ordinance, determine; and the said council is hereby authorized to levy a tax upon all taxable property of said village to pay said bonds and interest, but such tax shall not exceed two mills on the dollar in any one year in addition to the tax now authorized by law.

Bonds to be signed by the mayor and countersigned by the clerk.

SECTION 3. Said bonds shall be issued in such sums as the council may, by ordinance, determine; they shall be signed by the mayor and countersigned by the clerk of said village, who shall make a record of the number, date and amount of each bond, and they shall not be sold for less than their par value.

SECTION 4. The question of issuing such bonds shall first be submitted to the qualified electors of said village at a general or special election held in said village, of which not less than five days' notice shall be given by publication in a newspaper published in said village. Those in favor of issuing such bonds shall have printed or written on said ballots, "For the issue of bonds—Yes;" and those opposed, "For the issue of bonds—No." If a majority voting on said proposition are in favor thereof, then the council shall proceed to issue said bonds as provided in this act, and not otherwise.

Question of issue to be submitted to vote.

SECTION 5. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 2, 1890.
123G

[House Bill No. 284.]

AN ACT

To amend section 1655 of the Revised Statutes of Ohio, as amended April 3, 1885 (82 O. L., 111), and March 19, 1887 (84 O. L., 125), and section 1656 of the Revised Statutes of Ohio, as amended April 3, 1885 (82 O. L., 111), and March 19, 1887 (84 O. L., 125), and April 13, 1889 (86 O. L., 277), and section 1658 of the Revised Statutes of Ohio, as amended April 3, 1885 (82 O. L., 112), March 19, 1887 (84 O. L., 126), and section 1661 of the Revised Statutes of Ohio, as amended April 3, 1885 (82 O. L., 112), and March 19, 1887 (84 O. L., 126), and section 1672 of the Revised Statutes of Ohio, as amended April 3, 1885 (82 O. L., 113), and March 19, 1887 (84 O. L., 126), and to repeal section 1659 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1655 of the Revised Statutes, as amended April 3, 1885, and March 19, 1887, and section 1656 of the Revised Statutes, as amended April 3, 1885, and March 19, 1887, and April 13, 1889, and section 1658 of the Revised Statutes, as amended April 3, 1885, and March 19, 1887, and section 1661 of the Revised Statutes, as amended April 3, 1885, and March 19, 1887, and section 1672 of the Revised Statutes, as amended April 3, 1885, and March 19, 1887, be amended so as to read as follows:

Sec. 1655. In cities of the first and second grades of the first class, the legislative power and authority shall be vested in a council, and in cities of the third grade of the first class, the legislative power and authority shall be vested in a board of aldermen and a board of councilmen, which, together, shall form the common council.

Legislative power in cities of first class.

Sec. 1656. In cities of the first grade of the first class, the respective terms of the present members of the board of aldermen shall terminate from and after the passage of this act.

Board of aldermen in cities first grade, first class, abolished

Council in
Cincinnati and
Cleveland;
board of coun-
cilmen in
Toledo.

Sec. 1658. In cities of the first grade of the first class, the council shall consist of two councilmen from each ward, and they shall be elected for the term of two years; and in cities of the third grade of the first class, the board of councilmen shall consist of two councilmen from each ward, and they shall be elected for the term of two years; and in cities of the second grade of the first class, the council shall consist of one member from each ward, who shall be elected for the term of two years.

Election of
councilmen.

Sec. 1661. In cities of the first grade of the first class, the members of the board of councilmen in office shall serve as members of the council until the expiration of their respective terms, and at each annual municipal election thereafter, one member of the council shall be elected in each ward, to serve for two years, and where a new ward is created, the mayor, in his proclamation, shall give notice to the electors that at the next municipal election they shall vote in each ward for one member for one year, and one member for two years, designating the term on their ballots. And in cities of the third grade of the first class, the members of the board of councilmen in office shall serve until the expiration of their respective terms, and at each annual municipal election thereafter, one member of the board of councilmen shall be elected in each ward to serve for two years; and where a new ward is created, the mayor, in his proclamation, shall give notice to the electors that at the next municipal election they shall vote in such ward for one member for one year, and one member for two years, designating the term on their ballots. And in cities of the second grade of the first class, when a new ward is created, the mayor, in his proclamation, shall give notice to the electors that at the annual municipal election they shall vote in such ward for a member of the council for such new ward.

Legislative
power in other
municipali-
ties.

Sec. 1672. The legislative authority of villages shall be vested in a council consisting of six members, except that in villages divided into three or more wards such authority shall be vested in a council composed of two members from each ward; and the legislative authority of cities, except as provided in sections 1655, 1658 and 1661 of the Revised Statutes as hereby amended, shall be vested in a council consisting of two members from each ward.

Repeals.

SECTION 2. That said original sections 1655, 1658 and 1672 of the Revised Statutes, as amended April 3, 1885, and March 19, 1887, and said original section 1656, as amended April 3, 1885, and March 19, 1887, and April 13, 1889, and said original section 1659 of the Revised Statutes of Ohio be and the same are hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 2, 1890.
124G

[House Bill No. 200.]

AN ACT

For the protection and relief of railroad employes; forbidding certain rules, regulations, contracts and agreements, and declaring them unlawful; declaring it unlawful to use cars or locomotives which are defective, or defective machinery or attachments thereto belonging, and declaring such corporation liable, in certain cases, for injuries received by its servants and employes on account of the carelessness or negligence of a fellow servant or employe.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be unlawful for any railroad or railway corporation or company owning and operating, or operating, or that may hereafter own or operate a railroad in whole or in part in this state, to adopt or promulgate any rule or regulation for the government of its servants or employes, or make or enter into any contract or agreement with any person engaged in or about to engage in its service, in which, or by the terms of which, such employe in any manner, directly or indirectly, promises or agrees to hold such corporation or company harmless, on account of any injury he may receive by reason of any accident to, breakage, defect or insufficiency in the cars or machinery and attachments thereto belonging, upon any cars so owned and operated, or being run and operated by such corporation, or company being defective, and any such rule, regulation, contract or agreement shall be of no effect. It shall be unlawful for any corporation to compel or require directly or indirectly an employe to join any company association whatsoever, or to withhold any part of an employe's wages or his salary for the payment of dues or assessments in any society or organization whatsoever, or demand or require either as a condition precedent to securing employment or being employed, and said railroad or railway company shall not discharge any employe because he refuses or neglects to become a member of any society or organization. And if any employe is discharged he may, at any time within ten days after receiving a notice of his discharge, demand the reason of said discharge, and said railway or railroad company thereupon shall furnish said reason to said discharged employe in writing. And no railroad company, insurance society or association, or other person shall demand, accept, require, or enter into any contract, agreement, stipulation with any person about to enter, or in the employ of any railroad company whereby such person stipulates or agrees to surrender or waive any right to damages against any railroad company, thereafter arising for personal injury or death, or whereby he agrees to surrender or waive in case he asserts the same, any other right whatsoever, and all such stipulation and agreements shall be void, and every corporation, association or person violating or aiding or abetting in the violation of this section shall for each offense forfeit and pay to the person wronged or deprived of his rights hereunder the sum not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) to be recovered in a civil action.

For the protection of railroad employes.

SECTION 2. It shall be unlawful for any such corporation to knowingly or negligently use or operate any car or

Use of defective machinery prima facie

evidence of
neglect, etc.

locomotive that is defective, or any car or locomotive upon which the machinery or attachments thereto belonging are in any manner defective. If the employe of any such corporation shall receive any injury by reason of any defect in any car or locomotive, or the machinery or attachments thereto belonging, owned and operated, or being run and operated by such corporation, such corporation shall be deemed to have had knowledge of such defect before and at the time such injury is so sustained, and when the fact of such defect shall be made to appear in the trial of any action in the courts of this state, brought by such employe, or his legal representatives, against any railroad corporation for damages, on account of such injuries so received, the same shall be prima facie evidence of negligence on the part of such corporation.

Superior
officer and fel-
low servant
defined.

SECTION 3. That in all actions against the railroad company for personal injury to, or death resulting from personal injury, of any person, while in the employ of such company, arising from the negligence of such company or any of its officers or employes, it shall be held in addition to the liability now existing by law, that every person in the employ of such company, actually having power or authority to direct or control any other employe of such company, is not the fellow servant, but superior of such other employe, also that every person in the employ of such company having charge or control of employes in any separate branch or department, shall be held to be the superior and not fellow servant of employes in any other branch or department who have no power to direct or control in the branch or department in which they are employed.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 2, 1890.

125G

[House Bill No. 400.]

AN ACT

To amend sections 307 and 1284 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 307 and 1284 of the Revised Statutes of Ohio be amended so as to read as follows:

Commissioner
of labor statis-
tics: appoint-
ment and term.

Sec. 307. The commissioner of labor statistics shall be appointed by the governor, by and with the advice and consent of the senate, and shall hold his office for two years.

Salaries of
state and other
officers.

Sec. 1284. Annual salaries shall be allowed as follows: To the governor, eight thousand dollars; private secretary of the governor, eight hundred dollars; executive clerk of the governor, fifteen hundred dollars; adjutant-general, two thousand dollars; assistant adjutant-general, fifteen hundred

dollars; lieutenant-governor, eight hundred dollars; judges of the supreme court and supreme court commission, four thousand dollars each; judges of the common pleas courts and of the superior courts, twenty-five hundred dollars each; secretary of state, two thousand dollars; treasurer of state, three thousand dollars; auditor of state, three thousand dollars; attorney-general, fifteen hundred dollars; state librarian, fifteen hundred dollars; assistant state librarian, twelve hundred dollars; law librarian, fifteen hundred dollars; assistant law librarian, one thousand dollars; superintendent of the deaf and dumb asylum, twelve hundred dollars; steward of same, eight hundred dollars; matron of same, four hundred dollars; assistant matrons of same, each, three hundred dollars; physician of same, three hundred dollars; superintendent of blind asylum, twelve hundred dollars; steward of same, eight hundred dollars; matron of same, four hundred dollars; superintendent of imbecile asylum, twelve hundred dollars; matron and teachers of same, each, four hundred dollars; superintendent of soldiers' and sailors' orphans' home, twelve hundred dollars; matron of same, four hundred dollars; superintendents of asylums for the insane, each, twelve hundred dollars; assistant physicians of same, each, seven hundred dollars; stewards of same, each, eight hundred dollars; matrons of same, each, four hundred dollars; superintendent of boys' industrial school, twelve hundred dollars; matron of same, four hundred dollars; superintendent of girls' industrial home, twelve hundred dollars; matron of same, four hundred dollars; clerk of supreme court, fifteen hundred dollars, and for service while acting as clerk of supreme court commission, five hundred dollars; deputy clerk of supreme court, twelve hundred dollars; commissioner of railroads and telegraphs, two thousand dollars; superintendent of insurance, two thousand dollars; inspector of mines, two thousand dollars; commissioner of labor statistics, two thousand dollars; supervisor of public printing, eighteen hundred dollars; and state commissioner of common schools, two thousand dollars.

SECTION 2. That said original sections 307 and 1284 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 2, 1890.

126G

[House Bill No. 362.]

AN ACT

To create a board of public works in and making certain changes in the government of cities of the first grade of the second class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the first grade of the second class

Creating a board of public works for certain cities

there shall be a board of public works, composed of four members electors of such cities.

How appointed and constituted.

SECTION 2. Such board shall be chosen in the first instance by the mayor, of such cities: one member of which shall serve for one year, one for two years, one for three years, and one for four years; and thereafter a successor of the member of such board whose term expires shall be chosen at the annual municipal election, by the electors of such cities, to serve for the term of four years, and the members of such board shall serve until their successors are chosen and qualified. Vacancies in such board shall be filled by the mayor for the unexpired term; provided, that in the selection of the members of said board, in the first instance, not more than three members thereof shall belong to the same political party.

Bond of members of board.

SECTION 3. Each member of such board of public works shall give bond with at least three sureties, to the satisfaction and approval of the mayor, in the sum of twenty-five thousand dollars (\$25,000), conditioned for the faithful performance of his duties, which sureties shall each be required to take an oath that he is worth the amount of the bond above all liabilities.

Duties and compensation.

SECTION 4. The members of the board shall devote their entire time and attention to the duties of the office, and shall each receive as compensation, a salary of three thousand dollars (\$3,000) per annum; and each member of the board shall personally supervise the cleaning, lighting, repairing and improvements of the streets, alleys, avenues, lanes, public wharves and landings, market-houses and spaces, bridges, sewers, drains, ditches and culverts, in one of the districts into which such cities may be divided.

Meetings.

SECTION 5. The board shall hold daily meetings, and three shall constitute a quorum for the transaction of business; the ayes and nays shall be called and entered upon a journal upon the passage of every resolution or order of any kind; and no resolution or order of any kind shall be adopted unless three votes are recorded in its favor.

Record of proceedings.

SECTION 6. The board shall keep a complete record of all its proceedings; and a copy from its records, certified by the clerk, shall be competent evidence in all courts.

Members of board to have seats in council.

SECTION 7. The members of the board shall have seats in the council and be entitled to take part in its proceedings and deliberations on all questions relating to matters under their charge, subject to such rules as the council shall from time to time prescribe, but without the right to vote.

Appointments.

SECTION 8. The board may appoint and employ a city civil engineer for the term of three years, and such superintendents, clerks, laborers and other persons as it may deem necessary for the execution of its duties, and fix their salaries and compensations; and any of such persons who are not appointed for designated terms, may be removed by the board at any time. The board may require a bond from any of its appointees with sureties to its satisfaction.

SECTION 9. The board of public works shall have all the powers which in other cities are vested in and devolve upon the trustees of the water-works, the board of improvements, the commissioners of sewers, the park commissioners, the platting commission and the board of fire commissioners in cities of the second grade of the first class, and city commissioner as superintendent of streets and highways, as provided in the Revised Statutes and the amendments thereto relating to those matters, and shall be governed by the rules prescribed by law for the government of those boards and officers when not inconsistent with provisions of this act. Members of the board of water-works and of the board of park commissioners in such cities of the first grade of the second class, in office when this act takes effect, shall hold their offices until ten days after the members of said board of public works shall have been chosen or appointed and qualified, whereupon their offices, as members of such board, shall cease and determine. In cities of the first grade of the second class, no election for the members of the board of trustees of water-works shall be held, nor members of such board, after the passage of this act, elected, such board with respect to such cities being hereby abolished.

Powers of board.

Board of water-works and park commissioners abolished.

SECTION 10. The officers of cities of the first grade of the second class, except as provided in this act, shall consist of a mayor, a solicitor, who shall be chosen by the electors of the corporation, an auditor, who shall be chosen as herein-after provided, and a city clerk, who shall be chosen by council. All offices in cities of the first grade of the second class heretofore created by ordinance of the council shall cease and determine at the expiration of ten days after the selection and qualification of said board of public works; and said council shall not, after the passage of this act, have or exercise the power of creating any office or of fixing the term and compensation of any office except city clerk.

City officers: how elected or appointed.

SECTION 11. The board may appoint a sealer of weights and measures, define his duties and fix his term of office and compensation.

Sealer of weights and measures.

SECTION 12. The board may appoint such number of market-masters as it may deem necessary, define their duties and fix their term of office and compensation.

Market-masters.

SECTION 13. When the board deems it advisable to make a contract for the execution of any work, or the purchase of material for matters under its charge, a careful estimate shall be made of the cost of such work or material.

Contracts.

SECTION 14. In all cases where assessments are to be made or where the estimated cost of any work or material exceeds five hundred dollars, the board shall transmit to council, with its recommendations, a resolution or ordinance, as the case may be, authorizing the execution of such work, or the purchase of such material at a cost not to exceed the amount of the estimate which shall be transmitted.

Expenditures by council in excess of \$500 must be authorized by board.

SECTION 15. The board shall have the power to make yearly contracts for the municipal advertising with two newspapers, of opposite politics, published in such city, and when

Board may contract for municipal advertising.

Office of board.

such contracts are made, all ordinances, resolutions and notices required by law to be published, shall be published in the newspapers with which such contracts are made. The board shall provide suitable offices for the transaction of its business, and for the various departments and officers of such cities; and provide, by contract, for furnishing necessary furniture, blank books, instruments, implements and stationery for the needful and proper discharge of official duties.

Must advertise for proposals for public improvements and award contract to lowest bidder.

SECTION 16. Upon the passage by council of the resolution or ordinance contemplated by section fourteen, it shall be the duty of the board to advertise for proposals in accordance therewith, for a period of at least ten days, in one or more of the newspapers of general circulation in the city for sealed proposals to do the work, or furnish the material required; and the board shall award the contract to the lowest responsible bidder, or reject all bids; but no contract shall be awarded to any bidder the cost of which shall exceed the estimate transmitted to council.

Who to execute contracts.

SECTION 17. The presiding officer of the board shall execute all contracts in the name of the city and file them in the office of the board.

Liabilities: how created, etc.

SECTION 18. No member of the board, or other person, whether in the employ of the board or otherwise, shall have the power to create any liabilities on account of the board, or the funds under its control, except by the express authority of the board, conferred at a meeting thereof duly and regularly convened.

Members and employes must not be interested in contracts.

SECTION 19. No member, officer, or employe of the board shall be directly or indirectly interested in any contract or work of any kind whatsoever, under its direction, and any contract or work in which any such person has an interest shall be void; and it shall be the duty of any person having knowledge or information of the violation of this section forthwith to report the fact to the board, and the board shall give reasonable notice to the parties interested, and at the earliest convenient day investigate the same, and hear evidence offered on both sides.

Board may compel attendance of witnesses.

SECTION 20. The board shall have power in such case to compel the attendance of witnesses and the production of books and papers, and the presiding officer shall have authority to administer necessary oaths.

Members disqualified to sit during pendency of charges against, etc.

SECTION 21. If a member of the board be involved in any such charge, he shall not again sit or vote in the board until the result of the investigation is determined, announced, and entered on the minutes of the board; the majority of the board not involved shall be sufficient to decide the questions, and if an officer or employe of the board be found upon such inquiry, to have violated any of the foregoing provisions, such finding shall at once operate as a dismissal of such officer or employe.

When contracts void.

SECTION 22. If a contract made or authorized by the board be found to violate any of the foregoing provisions, it shall at once become void and of no effect, and no money

shall be paid for services rendered or material furnished under the same.

SECTION 23. No money shall be paid, at any time, to any person claiming under a contract with the board, until such person files with the board his statement, under oath, disclosing the names of all persons directly or indirectly interested in the contract or in the proceeds or profits thereof, declaring that no person other than those named are interested, and that no person forbidden by this chapter has any interest in the same.

Persons claiming under contract must file statement of parties interested with him.

SECTION 24. In cases where the board makes contracts without the approval of the council, it may, in its discretion, purchase the necessary material, and employ the necessary overseers and hands to do the work, and council may, in special cases, on recommendation of the board, authorize any work, no part of which is to be paid by assessment, to be done in the same manner.

When board or council may employ and furnish material for work.

SECTION 25. When it becomes necessary in the opinion of the board, in the prosecution of any work, to make alterations or modifications in the specifications or plans of a contract, or to omit from said work any portion of the street or territory originally ordered to be improved, such alterations, modifications or omissions, may be made by order of the board; provided, such order shall be of no effect until the price to be paid for the work under such altered or modified contract has been agreed upon in writing, and signed by the contractors and some person authorized thereunto by the board; and provided, further, the total cost shall not exceed the original contract.

Alterations or modifications of contracts: when may be made.

SECTION 26. In all cases of changes made by said board under the last preceding section, the said board shall have the power to make and levy such assessments upon the property abutting the improvement actually made, or specially benefited thereby, as if the improvement made were the same as that originally ordered; provided, if such alteration or modification consists solely in omitting from said improvement any portion of the street or territory originally ordered to be improved, in every such case, where the improvement was theretofore ordered by council to be assessed upon property abutting upon or benefited by the improvement, the assessment so charged upon the property shall not exceed the assessment which would have been chargeable if no portion of said improvement originally ordered had been omitted.

When assessments may be levied on abutting property, etc.

SECTION 27. Whenever it shall appear in an action for the recovery of any such assessment, or to enjoin the collection thereof, that such assessment does exceed the assessment which would have been chargeable if no portion of said improvement originally ordered had been omitted, the court may thereupon determine what amount should properly have been assessed by said board of public works after such change in the contract, and render judgment enforcing the collection of the amount properly assessable, or enjoining the collection of any greater amount as the nature of the case may require.

As to actions under this act

And in such cases the court shall make such order for the payment of costs as may be deemed equitable and proper.

No extra allowance to be made by reason of alteration or modification of contract or work.

Ordinances, etc., must be approved by board.

Cases in which approval of board is required before action is had

Revenues of water-works, etc.

As to cleaning of streets, alleys, etc.

Lighting of streets, alleys, public buildings, etc.

SECTION 28. No contractor shall be allowed anything for extra work caused by any alteration or modification, unless an order is made, or agreement signed, as provided in section twenty-five, nor shall he, in any case, be allowed more for such alteration than the price fixed by such agreement.

SECTION 29. No ordinance or resolution authorizing any improvement shall be passed by council except upon the recommendation of the board.

SECTION 30. No grant of the use of a street or highway in any such city for the purpose of a street or other railroad, or an extension thereof or for any other purpose whatsoever, shall be made or renewed unless first recommended by the board; nor shall any such street or highway be used for supplying gas or water, or be broken up or obstructed for any purpose or on any pretense whatever, unless permission be first given by the board, and attested by its clerk in writing, nor shall a resolution or ordinance or payment of money in settlement of claims for unliquidated damages be passed, nor any binding agreement for such settlement be made by the council, unless the payment or settlement of such claim be first recommended by the board; nor shall any property used or to be used for purposes under the control of the board, or for the use of any such city, be purchased, leased or disposed of without such recommendation being first made; and any such measure required to originate in the board which is altered, changed or amended in any particular, before taking effect, shall be concurred in by said board.

SECTION 31. The revenues of the water-works shall be expended by said board, and contracts for water-works purposes shall be made by it only, and from said revenues the board shall pay the interest upon any bonds heretofore or hereafter issued by the city for water-works purposes after the expenditure of the amount raised by the current levy of taxes to pay interest upon such bonds.

SECTION 32. The board of public works is authorized and required to supervise the cleaning of the streets, alleys, avenues, lanes, public wharves and buildings, market-houses and spaces, bridges, sewers, drains, ditches, culverts, ship-channels, streams and water courses of the corporation under the control of the city; the board may, at any time, when, in its judgment the best interests of the city will be subserved, advertise for proposals for cleaning the same; when the board determines to contract for such cleaning, it shall advertise for sealed proposals to perform the work, in some newspaper of general circulation within such cities, for a period of ten days, and shall contract with the lowest responsible bidder to perform such contract; and for the faithful performance of the same may demand such security as in its judgment it deems proper, or may reject any or all such proposals or bids.

SECTION 33. The board of public works shall supervise and have exclusive control of the lighting of the streets, alleys, avenues and public places and buildings of the cor-

poration, and may at any time, when in its judgment the best interests of the corporation will be subserved, advertise for proposals for lighting the same for a term not exceeding five years, in some newspaper of general circulation within the corporation, for a period of twenty days, and shall contract with the lowest responsible bidder to perform such contract, or may reject any or all such proposals or bids, and for the faithful performance of any such contract, may demand such security as it deems proper.

SECTION 34. There shall be in cities of the first grade of the second class, an auditor, who shall be chosen or appointed in the first instance by the mayor, of such cities, for the term of three years, or until his successor is elected or appointed and qualified, and thereafter, upon the expiration of such term, a successor shall be, at a regular municipal election, elected by the electors of such cities for the term of three years. The auditor shall receive a salary of three thousand dollars (\$3,000), per annum, payable out of the city treasury, and vacancies in such office shall be filled by the mayor until the next annual municipal election, at which election a successor shall be elected by the electors for the balance of the unexpired term. The auditor shall give a bond to the satisfaction and approval of the mayor, in the sum of fifty thousand dollars, conditioned for the faithful performance of his duties.

City auditor:
how chosen;
term salary;
bond, etc.

SECTION 35. The auditor shall have all the powers and perform all the duties conferred or imposed upon auditors in cities of the second and third grades of the first class by section seventeen hundred and sixty-five (1765) of the Revised Statutes. It shall further be the duty of the auditor to keep accurate accounts of all taxes and assessments, and of all moneys due to, and of all receipts and disbursements made by the city, and of all assets and liabilities, and he shall have power to prescribe the form of reports and accounts to be rendered to his department, and the form and method of keeping the accounts of all other city officials or employes, and shall have at all times the inspection and revision of such accounts. Whenever any claim shall be presented to the auditor he shall have power to require evidence that the amount claimed is justly due and is in conformity to law or ordinance, and for that purpose he may summon before him any officer, agent or employe of any department of the city, or any other person, and examine him or her, upon oath or affirmation, relative thereto. The auditor shall, at any time, upon request of the mayor or council, make such report, touching upon the financial condition of the city as a whole or of any of the departments or accounts of the city. If the auditor shall draw a warrant for any claim contrary to law or ordinance, he and his sureties shall be individually liable for the amount of the same to the holder thereof. He shall audit the accounts of the several departments, the accounts of all officers and all other accounts in which the city is concerned. Detailed daily reports shall be made by every department of such cities to the auditor, showing receipts of all moneys by such departments, respectively, and the disposition of the same. The auditor may appoint such clerks and assistants

Powers and
duties of audi-
tor.

as may be necessary to the proper conduct of his office, subject, however, to the confirmation of the board of public works, which board shall fix the compensation of such clerks and assistants.

Register of
warrants on
treasury.

SECTION 36. The auditor shall issue warrants on the treasurer for all moneys payable out of the treasury on account of the city, and shall keep a register of all such warrants, showing the number, date of issue, the amount drawn for, in whose favor and on what fund.

Clerk sinking
fund trustees.

SECTION 37. The auditor shall be ex-officio clerk and secretary of the trustees of the sinking fund and of the tax commission of such cities, without compensation for such services.

Inspector of
buildings.

SECTION 38. The board shall appoint an inspector of buildings, who shall be an architect or builder, and an inspector of plumbing, and fix the term of office, salary and bond of such officers, and prescribe their duties.

Provisions of
certain acts
made applica-
ble to cities
first grade, sec-
ond class.

SECTION 39. The act of February 28, 1888, entitled "an act to regulate the construction of buildings within any city of the first class and first grade, and to provide for the appointment of an inspector of buildings, and to repeal an act passed March 21, 1887," shall apply, so far as possible, to cities of the first grade of the second class, except that the power of appointment conferred by said act shall be exercised by the board of public works, as provided in the last preceding section.

Acts and ordi-
nances incon-
sistent with
this act repeal-
ed, etc.

SECTION 40. That all acts and parts of acts inconsistent or in conflict with the provisions of this act be and the same are hereby repealed in so far as they may apply to cities of the first grade of the second class; that all ordinances of such cities of the first grade of the second class heretofore adopted, which may be in conflict or inconsistent with the provisions of this act, be and the same are hereby set aside, repealed and held for naught; that the office of city commissioner, as superintendent of streets and highways in such cities of the first grade of the second class be and the same is hereby abolished. Provided, that nothing in this act shall be construed to affect in any manner the control, management or tenure of any lands that may have been donated to such cities for park or other purposes, and provided, further, that nothing in this act shall be so construed as to affect or interfere with the term of any incumbent in office, except in cities of the first grade of the second class.

Exceptions.

SECTION 41. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 3, 1890.
127G

[House Bill No. 404.]

AN ACT

To amend section 3388 and to repeal section 3389 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-three hundred and eighty-eight of the Revised Statutes of Ohio be amended so as to read as follows :

Sec. 3388. A stockholder who refuses to convert his stock into the stock of the consolidated company, shall be paid at least the actual value of such stock, to be ascertained, not alone from its market value previous to the making of such agreement for consolidation by the directors, but from a consideration of the earning capacity of the road, in which such stock is held, without reference to such proposed consolidation, condition of said road, betterments, cars, and other property, its existing connections, and any other facts tending to increase or diminish the value of the stock, such payment to be made before the consolidation takes effect; and if a stockholder refusing to consolidate, and the board of directors desiring to consolidate, cannot agree as to the value of such stock, the parties may submit the question to arbitration, which arbitration shall be conducted in accordance with the law regulating arbitrations, so far as the same may be applicable, except that the arbitrators, in the discharge of their duties, shall also have the power to personally inspect the road-bed, fixtures, betterments, books, and other property of the company, by three disinterested persons, to be appointed upon the motion of either of the parties, by the judge of the court of common pleas of the county in which the person owning the stock resides, or in case he is a non-resident of any county, through, or into which the road passes, then in any county in the state into or through which the road passes. But either party may appeal from the decision or award of the arbitrators, to the court of common pleas of the county in which the arbitration is held, unless, previous to the arbitration, the parties agree in writing to abide by such award, by giving bond, within thirty days after the award is made, with surety to be approved by the clerk of the court, and conditioned as in other cases of appeal, in an amount to be fixed by the court or a judge thereof. In case of appeal by the company, the amount of the appeal bond shall not be less than the value of the stock, as found by the arbitrators. The question of the actual value of such stock, when appealed to the common pleas court, shall be tried by a jury as other questions of fact; unless both parties waive such trial by jury and consent to trial by the court.

Stockholder refusing to consolidate may demand value of stock, which, if refused, may be submitted to arbitration.

SECTION 2. That said original section 3388 and also section 3389, of the Revised Statutes of Ohio, be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

Repeal.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 4, 1890.

[House Bill No. 626.]

AN ACT

Providing for the payment of two months' salary and mileage to William A. Blair.

Appropriation
to pay salary
W. A. Blair.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be paid to William A. Blair the sum of three hundred and forty-four dollars and forty cents (\$344.40) out of any funds in the treasury, not otherwise appropriated, as compensation, and for mileage, for service rendered while performing the duties of a member of the house of representatives of the sixty-ninth general assembly of the state of Ohio, and the auditor of state is hereby directed to draw his warrant on the treasurer of state in favor of said William A. Blair for said amount.

SECTION 2. This act shall take effect on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
129G

[House Bill No. 77.]

AN ACT

To amend section 2833, Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2833 be amended so as to read as follows:

Tax on dogs.

Sec. 2833. In the tax list duplicate there shall be columns for the number of and per capita tax on dogs, and in addition to the proper tax on any valuation that may be fixed upon dogs by the owners, which shall be included with the personal property valuation, and taxed therewith, the auditor shall levy one dollar on each male, and spayed female dog, and two dollars on each unspayed female dog, which per capita tax shall constitute a special fund to be disposed of as provided by law; provided, that in cities of the second grade of the first class, the per capita tax provided for by this section shall be collected by the city clerk, and the city council of such cities shall provide by ordinance for enforcing the payment of the taxes on all dogs in such cities and disposing of the money derived therefrom.

SECTION 2. Said section 2833 is hereby repealed; and this act shall take effect and be in force and effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 8, 1890.
130G

[House Bill No. 368.]

AN ACT

To prevent the engagement of children at such employment whereby their lives and limbs may be endangered, or their health injured, or their morals likely to be impaired.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no child under the age of sixteen years, shall be employed by any person, firm, or corporation in this state, at employment whereby its life or limb is endangered, or its health is likely to be injured, or its morals may be depraved by such employment.

Preventing the employment of children in certain occupations.

SECTION 2. Any person, firm, or corporation in this state who willfully causes or permits the life or limb of any child under the age of sixteen years to be endangered, or its health to be injured, or its morals to become depraved, from and while actually in their employ, or who willfully permits such child to be placed in such a position or to engage in such employment that its life or limb is in danger, or its health likely to be injured, or its morals likely to be impaired by such position or employment, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten (\$10) dollars nor more than fifty (\$50) dollars, or imprisonment not less than thirty nor more than ninety days for each and every offense.

Penalty for violation.

SECTION 3. It shall be the duty of the state inspector of workshops and factories to enforce the provisions of this act.

Duty inspector workshops and factories.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 8, 1890.

131G

[Senate Bill No. 77.]

AN ACT

To amend section 6454 of the Revised Statutes, as amended March 19, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6454 of the Revised Statutes of Ohio, as amended March 19, 1889 (vol. 86, page 117), be amended so as to read as follows:

Sec. 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors, and in all proceedings to prevent crime, in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshoc-ton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby,

Concurrent jurisdiction of probate court in what counties.

Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Hardin, Morgan, Trumbull, Logan, Morrow, Muskingum, Marion, Warren, Pickaway, Seneca, Ross, Butler, Huron, Jackson, Van Wert, Wayne, Putnam, Union and Noble.

Repeal.

SECTION 2. That section 6454, as amended March 19, 1889 (vol. 86, page 117), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 11, 1890.
132G

[Senate Bill No. 57.]

AN ACT

Supplementary to Chapter 3, of title 2, of part 3, of the Revised Statutes of Ohio, authorizing guardians to lease real estate of their wards for petroleum oil or natural gas purposes, or either.

Authorizing
guardians to
lease real es-
tate of wards
in certain
cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a guardian of the person and estate, or of the estate only, of any minor, or of a lunatic, idiot or imbecile, may lease the real estate of his ward, or of said lunatic, idiot or imbecile, for petroleum oil or natural gas purposes, or either, for such period of time not exceeding ten years, as may be authorized by the probate court appointing such guardian.

Petition
therefor.

SECTION 2. Before executing such lease said guardian shall file his petition for authority to make the same, in the probate court appointing him, which petition shall contain a description of the real estate sought to be so leased, a particular or [and] detailed statement of the terms, time and conditions of the proposed lease, and, as near as may be, the net annual value thereof to said ward.

What to con-
tain.

SECTION 3. In cases where it is sought to lease the real estate of a lunatic, idiot or imbecile, for said purpose, said guardian shall also set forth in his petition the number, names, ages and residences of those who have the next estate of inheritance from said ward, all of whom, as well as the ward, shall be made defendants, as in other cases.

Notice of
hearing to be
given parties
interested.

SECTION 4. On filing the petition, notice of the filing thereof, and its object and purport, and of the time of hearing of the same in said court, shall be given the ward and all other defendants in the same manner as in proceedings in said court to sell the real estate of a minor.

Court to pre-
scribe terms,
covenants, etc.

SECTION 5. Upon the final hearing, if the court is satisfied from the evidence that it will be for the best interests of said ward, and the prayer of the petition is granted, the court may prescribe the terms, covenants, conditions and stipula-

tions of the lease, either in accordance with those set forth in the petition or otherwise; and such lease, when so made by said guardian, shall be by him reported to said court, and shall not take effect until the same is approved and confirmed by said court.

SECTION 6. This act shall take effect and be in force from and after the date of its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 11, 1890.

133G

[Senate Bill No. 59.]

AN ACT

To amend section 4904, as amended April 13, 1882, of the Revised Statutes of Ohio, relating to the repairs of improved roads, to protect the same from heavy burdens.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4904, of the Revised Statutes of Ohio, amended April 13, 1882, be so amended as to read as follows:

Sec. 4904. It shall be unlawful for any person or persons, firm or corporation, either by themselves or agent in any county having free or toll macadamized or graveled roads as specified in section 4876, of this chapter, to transport over such roads in any vehicle having a tire of less than four inches in width a burden of more than two thousand pounds. Provided, however, that when the said roads are sufficiently dry or frozen to bear up burdens of greater weight than is herein specified, then, and in that case, the restrictions to a burden of two thousand pounds shall not be in force. The county commissioners of every such county shall constitute a board of directors for their respective counties, with power to prescribe within the requirements of this act the quantity of any commodity that may be transported in bulk; and also, the increased weight in quantity greater than two thousand pounds that may be carried in vehicles having a width of tire four inches or upwards and cause such regulations to be recorded. The board of trustees or any one of them or any pike superintendent or commissioner within their respective jurisdiction upon any information of any resident freeholder of such county, for a violation of the requirements of this section, or of the regulations prescribed by the board, shall prosecute the person or persons violating the same before a justice of the peace of the county, or mayor of any incorporated village, or city, in any action for damages in the name of the state of Ohio, for the use of the free or toll macadamized or gravel road fund of the township where the roads are kept in repair by township[s], and to the county road fund where the roads are kept in repair by the county, and to the turnpike company road, where the roads are kept in re.

Burdens on
free turnpikes
graveled and
other roads.

Commis-
sioners may
regulate bur-
dens.

- upon a plan for said improvement, such board shall proceed to make such improvement upon such plans as it may adopt.
- Canals.** 19. To construct, open, enlarge, excavate, improve, deepen, straighten, or extend any canal, ship canal, or water course located in whole or in part within the corporation.
- Street cleaning.** 20. To regulate the cleaning and sprinkling of the streets, alleys and public grounds.
- Sewers.** 21. To open, construct and keep in repair sewers, drains and ditches.
- Privies.** 22. To establish, repair, and regulate water-closets and privies.
- Hospitals.** 23. To erect, establish, regulate and repair pest-houses, hospitals and infirmaries.
- Board of health.** 24. To establish a board of health and invest it with such powers and impose upon it such duties as may be necessary to secure the inhabitants from the evils of contagious, malignant and infectious diseases.
- Jails.** 25. To build jails and [or] other places of confinement, and to regulate the same.
- Markets.** 26. To erect market-houses, and to establish and regulate markets.
- Buildings and fences.** 27. To regulate the erection of buildings, fences, and other structures within the corporate limits.
- Cemeteries.** 28. To provide public cemeteries, and for the improvement and protection thereof, and to regulate the burial of the dead.
- Police.** 29. To organize and maintain a police department.
- Fire department.** 30. To organize and maintain a fire department, erect necessary buildings therefor, and to purchase and hold all necessary hose, engines, carts, ladders, carriages, tools and implements therefor.
- Water.** 31. To provide for a supply of water, by the construction of wells, pumps, cisterns, aqueducts, water-pipes, reservoirs, and water-works, and for the protection thereof, and to prevent unnecessary waste of water, and the pollution thereof.
- Parks.** 32. To hold and improve public grounds and parks, and to provide for the protection and preservation of the same.
- Appropriation of property.** 33. To appropriate private property for the use of the corporation.
- Power to purchase real estate.** 34. To acquire by purchase, or otherwise, and to hold real estate, or any interest therein, and other property for the use of the corporation, and to sell or lease the same.
- Public schools.** 35. To erect and maintain buildings for public schools.
- Halls.** 36. To erect and maintain public halls.
- Libraries.** 37. To establish and maintain free, public libraries and reading rooms, and to purchase books, papers, maps and manuscripts therefor, and to receive donations and bequests of money or property for the same, in trust or otherwise; and the council may appoint such trustees or officers, and confer on them such authority as may be necessary to render any reading-room so established of public utility; and may, also,

pass necessary by-laws and regulations for the protection and government of the same.

38. To license and regulate ferries within the corporate limits. Ferries.

39. To accept bequests by will, upon conditions and limitations contained in the will; and any city or village accepting such bequest shall be bound to faithfully carry out all the stipulations of the will in relation to the bequest, and the council of any such city or village is hereby authorized to make any and all rules and regulations by ordinance that may be required to carry out fully all the provisions of the will in relation to the bequest. Bequests.

40. To license and regulate the sale of produce and other merchandise, from canal boats, vessels, cars on railroad tracks and railroad depots, and cities of the first grade of the first class in addition to the powers hereinbefore granted, shall have the power to regulate and compel the consumption of smoke emitted by the burning of coal, and to prevent injury and annoyance from the same. License.

SECTION 2. Be it further enacted, that section 2233 of the Revised Statutes of Ohio be so amended as to read as follows:

Sec. 2233. The power to appropriate may also be exercised for the purpose of opening or extending streets or alleys across railway tracks, and lands held or owned by railway companies, and for the purpose of constructing any of the improvements provided for in subdivision eighteen (18) of section 1692 of the Revised Statutes of Ohio, where such appropriation will not unnecessarily interfere with the reasonable use of the property so crossed by any such improvements; such power may also be exercised where it is necessary to acquire the right of way to, or additional ground for, the enlargement or improvement of the public work herein specified; and whenever material is required for the construction, improvement, or repair of such work, the corporate authorities are empowered to appropriate and take the same, and for this purpose they may go outside of the corporate limits. Additional purposes for which property may be appropriated.

SECTION 3. That said sections 1692 and 2233 of the Revised Statutes of Ohio be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 11, 1890.
137G

[Senate Bill No. 121.]

AN ACT

To amend section 8 of an act to amend an act passed April 12, 1880, and entitled "an act supplementary to an act entitled 'an act to revise and consolidate the general statutes of Ohio,'" passed June 20, 1879, and to amend section 3630 of said act (77 v. O. L., p. 178).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 8 of the above entitled act, as amended March 14, 1889 (86 vol. O. L., 89), be and the same is amended so as to read as follows:

Certain associations not required to file statement with superintendent of insurance.

Sec. 8 This act shall not apply to any association of religious or secret societies, or to any class of mechanics, express, telegraph or railroad employes, or ex-union soldiers, formed for the mutual benefit of the members thereof, and their families, exclusively; provided, that any such association or class which may become subject to the provisions of sections 3630a, 3630c and 3630d of the Revised Statutes of Ohio, may file with the superintendent of insurance notice in writing of such desire, signed by the president of such association or class, and attested by the secretary thereof; and thereupon such association or class shall become subject to all the terms and provisions of said sections 3630a, 3630c and 3630d of said Revised Statutes; the superintendent of insurance shall thereupon immediately provide such association or class with proper blanks for furnishing the statement of the condition of such association or class, as provided in said section 3630a, and such association or class shall make such report within sixty days thereafter, and thenceforward, annually, as in case of other insurance companies, which report shall be included by said superintendent of insurance in his annual tabulated report, in the same manner as the reports of other companies and subject to the fees prescribed in section 282 of the Revised Statutes of Ohio; provided further, that the treasurer of any association or class which shall avail itself of the benefits of this enactment shall be required to give bond in the same manner as is provided in section 3631, Revised Statutes of Ohio; said bond to be conditioned, approved and renewed, as provided in said section.

SECTION 2. That section 8 of the above entitled act, passed March 14, 1889, be and the same is hereby repealed.

SECTION 3. This act shall take effect on and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 11, 1890.

138G

[Senate Bill No. 150.]

AN ACT

To amend sections 1, 2 and 3 of an act to provide for the payment of bounties for the killing of English sparrows, passed March 30, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every person being an inhabitant of this state, shall be entitled to receive a bounty of twenty cents per dozen for all sparrows, known as the English sparrow, killed, to be allowed and paid in the manner hereinafter provided.

Bounty for
killing English
sparrows.

Sec. 2. Every person applying for such bounty, shall take the heads of such sparrows, in lots of not less than one dozen, to the clerk of the township, village or city, within which such sparrows shall have been killed, who shall thereupon decide upon such application, and if satisfied of the correctness of such claim, shall issue a certificate stating the amount of bounty to which such applicant is entitled, and shall deliver the same to such applicant, and shall destroy the heads of such sparrows; provided, that the clerk of the township, village or city shall in no case issue such certificate unless there is at the time of issuing the same a fund in the township, village or city treasury out of which to pay the same, which fund shall have been set apart out of the general fund of the township, village or city, or shall have been raised by a levy for such purposes by the township trustees, or by the councils of the village or city, and shall be known as the sparrow fund, and the township trustees of any township, or the councils of any village or city may, in their discretion, create such fund, which in no year, in any township or village shall exceed two hundred dollars, and in no city the sum of five hundred dollars; and any amount of such fund which shall remain unexpended upon the first day of March each year may be credited to the general fund of the township, village or city.

Proof required
of persons ap-
plying for
bounty.

Sec. 3. Such certificate may be presented by the claimant or his agent to the city treasurer or the treasurer of the township or village in which such sparrows may have been killed, who shall pay the same out of the fund provided for the payment of such certificates.

Payment: how
made.

SECTION 4. That said sections one, two and three, of an act entitled "an act to provide for the payment of bounties for killing of English sparrows," passed March 30, 1888, be and the same are hereby repealed.

Repeal.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 11, 1890.
139G

[Senate Bill No. 159.]

AN ACT

To amend section 2408 of the Revised Statutes of Ohio, and to amend and supplement an act entitled "an act to amend an act entitled 'an act to authorize certain cities to contract with water works companies,'" passed May 4, 1885 (O. L., vol. 82, page 261), passed May 12, 1886 (O. L., vol. 83, page 146).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2408 of the Revised Statutes of Ohio be amended so as to read as follows :

Water-works
trustees;
board of public
improvements.

Sec. 2408. The council of any city or village in which water-works are situate, or in progress of construction, or when it orders water-works to be constructed, or purchases from any individual or individuals, or corporation, any water-works already constructed and existing therein, shall establish a board of three trustees, to be known as the trustees of the water-works, who shall be elected by the electors of the corporation, at a general or special election, and hold their office for the term of three years from the date of the annual municipal election preceding their election except that at the first election under this chapter one shall be chosen for one year, one for two years and one for three years, from the date of such preceding annual municipal election, and thereafter one of the trustees shall be elected annually at the annual municipal election, provided, that in cities of the first grade of the first class there shall be no board of trustees of water-works, but the duties of such trustees are devolved on the board of public improvements, which board shall have all the powers and perform all the duties required of the board of trustees in this chapter.

SECTION 2. That section one of the act of May 6, 1885, as amended May 12, 1886 (O. L., vol. 83, page 146), be amended and supplemented so as to read as follows:

Certain cities
may contract
with water
companies.

Sec. 1. That all municipal corporations, except cities of the first grade of the first class, in which water-works are now erected, constructed and existing, or in which they may hereafter be erected, whether such water-works are owned by an incorporated company, or by an individual or individuals, shall have power to contract with such company, owner or owners of such water-works, for supply of water for fire purposes, streets, squares, and other public places within the corporate limits, and for supplying the citizens of such municipal corporation with water, or any or either of them for any term not exceeding twenty years.

Limitation:
when to be
submitted to
vote.

Sec. 2. Any such municipal corporation, except cities of the first grade of the first class, in which water-works are constructed and existing and owned by an incorporated company, or an individual or individuals, shall have power to contract for the purchase of such water-works for such price, not exceeding two hundred thousand dollars, and upon such terms as may be agreed upon between the council of such corporation and the owner or owners of such water-works. Provided, that no such contract, for the purchase of any such water-works, shall be of any validity until the same shall

have been ratified at a special or general election to be holden in such corporation, by a majority of the electors voting at such election. But it shall not be necessary to the validity of any such contract, that sufficient funds shall be in the treasury of the corporation applicable thereto for the purposes thereof, nor that the clerk of such corporation shall make or file his certificate to that effect.

Sec. 3. Any such municipal corporation purchasing such water-works, may issue its bonds to the amount of the purchase price of such water-works agreed upon, with interest coupons attached. Such bonds to run not more than thirty years, to bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and to be signed, attested, advertised, and sold as in other cases. Such bonds shall not be sold for less than their par value, and the proceeds thereof, together with such premiums as may be derived therefrom, shall be applied to no other purpose than the purpose herein mentioned, or the maintenance of such works.

Bonds: denomination;
time to run;
interest, etc.

Sec. 4. The council of any municipal corporation issuing such bonds is hereby authorized to levy a tax of sufficient amount to pay the interest on such bonds, and to provide for the redemption of the same, which tax may be assessed and collected as provided in sections 2430 and 2431 of the Revised Statutes of Ohio.

Levy of tax.

Sec. 5. Whenever any such purchase of water-works shall be made, the council of such municipal corporation shall establish a board of trustees, as provided in section 2408 of the Revised Statutes of Ohio, which board shall have all the powers and perform all the duties required of boards of trustees of the water-works by title 12, division 8, chapter 1 of the Revised Statutes of Ohio, and such water-works shall thereafter be controlled and operated in the same manner, and the council shall have the same powers with reference to them as if the said water-works had been constructed by such municipal corporation.

Board of trustees: powers,
duties, etc.

SECTION 3. That the act passed May 12, 1886 (O. L., vol. 83, page 146), and section 2408 of the Revised Statutes of Ohio, be and the same are hereby repealed.

Repeal

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 11, 1890.

140G

[Senate Bill No. 167.]

AN ACT

To amend sections 1, 5 and 11 of an act entitled "an act to regulate the construction of buildings within any city of the first class and second grade, and to provide for the appointment of an inspector of buildings," passed April 16, 1888 (v. 85, p. 289).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1, 5 and 11 of an act entitled "an act to regulate the construction of buildings within any city of the first class and second grade, and to provide for the appointment of an inspector of buildings," be amended to read as follows:

Inspector of
buildings to be
appointed in
certain cities;
term; salary,
etc.

Sec. 1. That the mayor of the city shall appoint subject to the confirmation of the common council in every city of the first class of the second grade one person, who shall be an architect or builder (as inspector of buildings) in such city of the first class, who shall hold such office for the term of two years from and after the date of his appointment, subject to the provisions and stipulations of this act hereinafter provided, and until his successor is duly appointed and qualified, but may be removed by said mayor for malfeasance, misfeasance or nonfeasance in office; the said inspector shall receive an annual salary of \$2,500.00, which shall be in full for all services to be performed by him; the council may provide by ordinance that said inspector shall have an assistant inspector of buildings, at a salary not to exceed \$1,500.00 per annum, and one deputy who shall be a first class mechanic at a salary not to exceed \$1,200.00 per annum, and one deputy at a salary not to exceed \$900.00 per annum; said salaries payable as the salaries of other city officers; said assistant inspector of buildings and a deputy to be appointed by, and each to hold his office during the pleasure of the said inspector of buildings.

Assistant.

Deputy in-
spectors.

Application
for permit to
build, repair,
etc.

Sec. 5. When any person or persons shall be desirous of erecting, repairing, changing or altering any building or structure within the limits of such city, he or they shall make application at the office of the inspector for a certificate for that purpose, and shall furnish said inspector with a written statement of the location with a pertinent description of the land or number of sub-lot, allotment, name of owner, and street. Which description shall accompany the report to the county auditor as provided in sec[ti]on 3 of the act of which this act is amendatory and intended use of the proposed building or structure, the estimated cost, together with the plans and specifications of the same, which shall be delivered to the said inspector and remain in his custody a sufficient length of time to allow the necessary examination to be made of the same, and shall have access to the same at any time; after which, if it shall appear to the said inspector that the laws and ordinances of such city are complied with, he shall give the certificate asked for. The said inspector may, however, issue permits for repairs, alterations or additions, or for similar structures, without plans or specifications. The applicant

Statement
and plans re-
quired to ac-
company ap-
plication.

Granting of
certificate.

shall present the certificate to the city clerk, who shall issue a permit in accordance therewith upon the payment of the following prescribed fees: The sum of fifty cents for the permit, when the cost of the building or structure does not exceed five hundred dollars, and one dollar when the cost is more than five hundred dollars, and an additional sum of one cent for each and every one hundred cubic feet of contents of said buildings or structures, except for barns, ice-houses, coal and lumber and other sheds, for which one-half of one cent per one hundred cubic feet of contents shall be charged. And fifty cents for alterations or additions to old structures or buildings where the cost is three hundred dollars (\$300.00) or less, and fifty cents for every additional five hundred dollars or part thereof added to the cost of the same. Provided, that when the cost is \$1,000.00 or over, an additional charge of \$1.00 shall be made for the permit. And provided, also, that when the cost is less than twenty-five dollars, no charge shall be made for a permit. And for each and every inspection of hot air flues or steam pipes under, in or over wood floors or inclosed in wood or frame partitions, the sum of \$1.00 shall be charged. In case the inspector shall refuse to give an applicant the certificate applied for, such applicant may appeal to the board of improvements of such city. The aforesaid appeal shall state the reasons for such appeal and for what further reasons the certificate should be granted, all of which shall be in writing and accompanied by a certified check, payable to the city treasurer, covering the cost of aforesaid fees. Such appeal shall be submitted to the inspector for answer thereto, which answer shall also be in writing. The said board shall have the power to call in such other testimony bearing upon the case, and upon being satisfied may instruct the inspector in writing to issue the certificates applied for. Should said board refuse to authorize the inspector to issue such certificate, the aforesaid certified check shall be forfeited to the city. All papers and testimony relating to cases of appeal shall be recorded in books kept for such purpose in the inspector's office. In case the owner or his agent shall fail to give the correct estimated cost for the work for which a permit is issued, the inspector of buildings or his assistants may add the cost of such work, to the best of their knowledge and belief.

Charges for permits.

No fees to be charged in certain cases.

Appeal when permit refused.

Sec. 11. The following buildings and erections are exempt from the provisions of the preceding section: sheds, the extreme height of which do not exceed twelve feet, built on wharves, to be used for any lawful purpose. Temporary sheds of the same height to facilitate the building of authorized buildings; elevators of any height for the storage of coal or grain. All external parts of said elevators shall be covered with incombustible material, and materials used and the mode of construction shall be approved by the inspector. Green-houses, so far as regards the necessary wood-work of doors, frames and such; all privies not more than ten feet square and ten feet high, bridges, quays and wharves.

Exemptions in fire limits.

SECTION 2. That said original sections 1, 5 and 11 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 11, 1890.
 141G

[Senate Bill No. 227.]

AN ACT

To authorize cities having a population at the last general census of 5,840, or that may have at any subsequent census such population, to build a freight and passenger railroad, passing through its limits, and to own and control the same.

Certain cities
 authorized to
 borrow money
 for construction
 of a railroad.

Bonds, interest,
 etc.

Levy of tax.

Question to be
 submitted to
 vote.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever in any city having a population at the last federal census of 5,840, or that may have at any subsequent census such population, the city council thereof shall, by a resolution passed by a majority of the members elected thereto, declaring to be essential to the interests of such city that a line of railway, to be named in said resolution, should be provided between termini designated therein, said railway to pass through the incorporate limits of said city, it shall be lawful for a board of trustees, appointed as herein provided, and they are hereby authorized to borrow as a fund for that purpose, not to exceed the sum of one hundred thousand dollars, and to issue bonds therefor of and upon the municipal corporation, bearing interest at a rate not to exceed six per cent. per annum, payable at such times and places, and in such sum as said board shall deem best, but not less than ten years from the date thereof. Said bonds shall be signed by the president of said board, and attested by the city clerk, who shall keep a register of the same, and shall be secured by a mortgage on the line of railway, and its net income; and also for the redemption of said bonds the faith of the city shall be pledged, and the annual levy of a tax shall be made by the council thereof sufficient with said net income to pay the interest and provide a sinking fund for the final redemption of said bonds, and which tax may be in addition to the tax now by law authorized to be levied; provided, that no money shall be borrowed or bonds issued until after the question of providing the line of railway specified in the resolution shall be submitted to a vote of the qualified electors of the city, at a special election to be ordered by the city council thereof, or at the first general election after the passage of the resolution herein provided for, of which not less than ten days' notice shall be given in two newspapers published in said city; and further provided, that a majority of said electors voting on said question shall decide in favor of said line of railway. The returns of said election shall be made to the city council, who shall declare the results by resolution. The bonds issued under au-

thority of this section shall not be sold or disposed of for less than their par value, and to the highest responsible bidder or bidders.

SECTION 2. If a majority of the votes cast on said election on the question of providing the line of railway as specified in the first section shall be in favor thereof, the city solicitor shall forthwith file a petition in the court of common pleas of the county in which said city is situate, for the appointment of five (5) trustees, to be called the trustees of ——— railway (the blank to be filled with the name given to the railway in the resolution), and it shall be the duty of the judges of said court to make the appointment and proper entry of the same. The trustees so appointed shall be residents of the city, shall give bond in such sums as the court may direct, with one or more sureties to be approved by the court, conditioned for the faithful discharge of their duties.

Trustees: how to be appointed.

SECTION 3. The said trustees, and their successors, shall be the trustees of said fund, and shall have the control and disbursement of the same, and control and management of said railway during its construction and after completion of the same. Said fund shall be expended in procuring the right of way, to construct, and in construction of the said railway, and for these purposes said trustees shall have power to make contracts, and to do all things necessary to the complete carrying out the provisions of this act.

Powers and duties of trustees.

SECTION 4. Said trustees shall form a board and shall choose one of their number president, who shall also be an acting trustee. A majority of said trustees shall constitute a quorum, and they shall keep a record of their proceedings and a full and accurate account of their receipts and disbursements, and make a report of same whenever requested by a resolution of the city council.

Organization of board, etc

SECTION 5. Said trustees shall have power to take such security from any officer, agent or contractor, chosen, appointed, or employed by them, as they shall deem advisable. They shall not become surety for any such officer, agent or contractor, or be interested directly or indirectly in any contract concerning said railway. They shall be responsible only for their own acts.

May require security from contractor or employes, etc.

SECTION 6. Whenever the city solicitor of any city under whose action a board of trustees has been appointed as herein provided, shall have reason to believe that any one of said trustees has failed in the faithful performance of his trust, it shall be his duty to apply to the court that appointed said trustee, by petition, praying that such trustee be removed, and another appointed in his place. If the said city solicitor shall fail to make application in the foregoing case, after request by any holder of the bonds issued by said trustees or by a tax-payer of the corporation, such bond-holder or tax-payer may file a petition in his own name on behalf of the holders of such bonds for like relief, in any court having jurisdiction, and if the court hearing the action shall adjudge in favor of

Removals: duty of city solicitor as to.

When bond-holder or tax-payer may apply for removal of trustees.

the plaintiff, he shall be allowed, as part of his costs, a reasonable compensation to his attorney.

When trustees may purchase already or partially constructed road.

SECTION 7. Whenever there shall be, between the termini designated in any resolution passed under this act, a railroad already partially constructed, or rights of way acquired therefor which can be adopted as part of the line provided for in said resolution, the trustees of said line may purchase the said railroad and right of way, and pay for the same out of the trust fund.

Duty of trustees as to leasing or disposing of road.

SECTION 8. The said trustees shall have power, as fast as portions of the line for which they are trustees are completed, to rent or lease the right to use and operate such portions upon such terms as they may deem best; that such rights shall cease and determine on the final completion of the whole line, when the right to use and operate the same may be leased by them, or said to be sold to such person or company as will conform to the terms and conditions which shall be fixed and provided by the council of the city by which the line of railroad is owned.

SECTION 9. This act shall take effect and be in full force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 11, 1890.
142G

[Senate Bill No. 105.]

AN ACT

To amend section 3440 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted of [by] the General Assembly of the State of Ohio,* That section thirty-four hundred and forty be amended so as to read as follows:

Appropriation of property by street and other railway companies.

Sec. 3440. When the council or commissioners make such grant, the company or person to whom the grant is made may appropriate any property necessary therefor when the owner fails to expressly waive his claim to damages by reason of the construction and operation of the railway. And in any city of the third grade of the first class any person, persons or company which is authorized to construct and operate and has constructed and is operating a street railway, may appropriate any property necessary for the purpose of occupying and using under section 3438 any existing street railway track or tracks subject to the limitations of said section and for not more than one-eighth of the entire distance between the termini of the route as actually constructed, operated and run over, of the appropriating company or person at the time appropriation proceedings are begun, such appropriation to be made in the mode and manner provided for the appropriation of property in part third, title 2, chapter 8, of the Revised Statutes.

SECTION 2. That said original section 3440 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 11, 1890.
143G

[Senate Bill No. 101.]

AN ACT

For the relief of Henry Ruple, private of company "I," 2d regiment of infantry, Ohio national guard.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of the state of Ohio be and he is hereby authorized and required to issue his warrant on the state treasurer to pay to Henry Ruple, private of company I, second regiment infantry, Ohio national guard, the sum of seven hundred and fifty (\$750.00) dollars, which sum shall be in full liquidation and payment of said Henry Ruple, for loss through injuries received by him in the discharge of his duty as a member of [the] Ohio national guard, while on way to the annual encampment, and injured by wrecking of train near Columbus Grove, Ohio, in 1888.

Appropriation
for relief of
Henry Ruple.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
144G

[Senate Bill No. 258.]

AN ACT

To authorize cities of the second grade of the second class to issue bonds for the purposes herein specified.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of city commissioners of any city of the second grade of the second class be and is hereby authorized to borrow in behalf thereof the following sums, for the purposes hereinafter specified: The sum of one hundred and fifty thousand dollars to be applied to the general expense fund of such city, and the sum of one hundred and fifty thousand dollars for the purpose of improving the streets of such city.

Certain cities
authorized to
borrow money
for general ex-
pense fund and
improvement
of streets.

SECTION 2. For the purpose of effecting said loans, the board of city commissioners of such city is hereby authorized and empowered to issue the bonds of such city, signed by the

Bonds:
amount; inter-
est, etc.

president of such board and countersigned by the auditor of such city, in a sum not exceeding in the aggregate three hundred thousand dollars. Such bonds shall bear interest at not more than five per cent. per annum, payable semi-annually, and shall be payable at such time or times, not exceeding thirty years after the date thereof, as such board of city commissioners may determine. Said bonds shall be of such denominations as such board may direct, and shall be sold at not less than their par value, and such sale shall be according to law.

Levy of tax.

SECTION 3. It shall be the duty of the city council of such city, annually, to levy a tax upon all the taxable property of such city, sufficient in amount to pay the interest as it may become due, and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
145G

[Senate Bill No. 67.]

AN ACT

To provide accommodations for the epileptic and epileptic insane of the state.

Epileptic and epileptic insane: providing an institution for care of, and appointment of a commission to select site, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That three persons, no two of whom are residents of the same county, and neither of whom is a member of the general assembly of Ohio, to be appointed by the governor within ten days after the passage of this act, shall constitute a commission to determine upon the manner in which provision shall be made for the care of the epileptic and epileptic insane of the state, including those now in the insane asylum[s] of the state, and also those not provided with state care; and in making such provisions for the care of the epileptic and epileptic insane, said commission is authorized to select a site and to adopt plans which shall provide accommodations for not less than one thousand of said epileptic and epileptic insane, which shall include heating apparatus and radiators all complete; also either gas-works with gas fixtures, or electric light with fixtures, as may be deemed best; water-works and sewerage, so that the building or buildings shall be complete in every respect, ready for the reception of patients, and the same to be fire-proof. And said commission shall provide land by purchase or otherwise upon which said building or buildings shall be erected. The lot or parcel of land selected shall contain not less than fifty acres nor more than one hundred acres.

SECTION 2. The members of said commission, before entering upon the duties of their office, shall take and subscribe an oath or affirmation, before some competent authority, faithfully to discharge all the duties required of them by this act. They shall each be entitled to receive the necessary expenses incurred while discharging the duties assigned them.

Oath of members of commission; expenses, etc.

SECTION 3. When said commission shall have selected a site and complied in all respects with the provisions of section one (1) of this act, a report thereof shall be made in writing by said commission to the governor, who thereupon shall appoint five trustees, who shall approve of the plans and let the contract, and have charge of the erection of the building or buildings, as provided by law. Said trustees shall be appointed and confirmed according to the laws governing the appointment of trustees of other benevolent institutions of this state. Provided, that the said commissioners and trustees shall not enter into any contract for the erecting of said building or buildings until the money has been appropriated by [the] legislature to pay for the same.

Governor to appoint trustees to take charge of construction, etc.

SECTION 4. That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of twelve thousand dollars for the expenses of said commission, and for the purpose of complying with the provisions of section one (1) of this act. The accounts of expenditures, including expenses of the commission, shall be audited and allowed by the auditor of state.

Appropriation for expenses of commission.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
146G

[Senate Bill No. 156.]

AN ACT

To enact supplementary sections to section 3384; and to amend section 3309a and section 3385 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3309a of the Revised Statutes of Ohio, as amended March 20, 1884, be so amended as to read as follows:

Railroad companies:

Sec. 3309a. Any railroad company now or hereafter organized under the laws of this state, and any such company which now is or shall hereafter be consolidated with other companies, as provided in sections thirty-three hundred and seventy-nine, thirty-three hundred and eighty, thirty-three hundred and eighty-one, and thirty-three hundred and eighty-two of the Revised Statutes, may, at a meeting of its stockholders, called, as provided in section thirty-three hundred and eighty, in lieu of issuing preferred stock as provided in

Railroad companies may borrow money and issue securities in lieu of preferred stock.

When and for
what purposes
consolidated
companies
may issue
bonds.

Securities:
how expressed;
how disposed
of; how pro-
ceeds to be ap-
plied.

Provision as
to street rail-
roads.

section thirty-three hundred and nine, provide for borrowing money to locate, construct and equip its proposed line of railway, or for the purpose of leasing or purchasing and equipping branch or connecting roads constructed or in process of construction, not exceeding ten miles in length, or for redeeming or exchanging any part or all of its previously issued bonds, or for funding its floating debt, or for any or all of said purposes, in such an amount as it may deem necessary, not exceeding its authorized capital stock, and at such rates of interest as may be agreed upon between the respective parties, not exceeding seven per cent. per annum, payable semi-annually or quarterly, as they may direct, and may execute and issue securities therefor, and to secure the payment thereof may pledge the entire property and net income of such company by mortgage or otherwise; and any railroad company formed by the consolidation of a railroad company or companies, created by or existing under the laws of this state and any other state or states, with a railroad company or companies of this state or any other state, may from time to time, if authorized by the vote in person or proxy of holders of two-thirds ($\frac{2}{3}$) of the full paid-up stock of such consolidated railroad company present and voting at meetings of stockholders, called as aforesaid, issue its bonds, convertible or otherwise, into stock, bearing a rate of interest not exceeding six per centum per annum, for one or more of the following purposes: Paying, redeeming or funding debts or obligations assumed, incurred or created by it or either of its predecessors or constituent companies, compromising claims made against it or either of its predecessors, or constituent companies, purchasing the whole or any part of any railroad held by it under lease to, or operating contract with it or either of its predecessors or constituent companies, acquiring the whole or any part of the stock or bonds of any railroad company owning a railroad held by such consolidated railroad company under lease or operating contract, acquiring the whole or any part of the bonds, notes, or other obligations of any other railroad company of this or any other state, the whole or a majority of whose capital stock shall be held by such consolidated railroad company, completing, extending, improving, maintaining or operating its road, branches, or lines, held under lease or contract, laying double or additional track, purchasing rolling stock, building depots, elevators or shops, and generally for any purpose needed in its business, and may, if the directors shall so determine, secure such issue or issues of bonds by mortgage or pledge of any or all of its real or personal estate or franchises or income. Said securities may be expressed in dollars or in the currency of the country where disposed of, and may be disposed of upon such terms and at such prices as may be agreed upon between the respective parties not inconsistent with the laws of this state. The proceeds of sale of such securities shall be applied only as now required by law; provided, that nothing in this section or in the sections of the Revised Statutes relating to railroad companies prior to section thirty-four hundred and thirty-seven, other than in sections thirty-two hundred and eighty-

seven, thirty-two hundred and eighty-eight and thirty-two hundred and eighty-nine shall be construed as affecting street railroads.

SECTION 2. That the following sections be enacted as supplementary to section 3384 of the Revised Statutes, with sectional numberings as follows:

Sec. 3384a. That any consolidated railroad company formed by the consolidation of a railroad company or companies created by or existing under the laws of this state and any other state or states, with a railroad company or companies of this state or of any other state, may take, hold, pledge or otherwise dispose of under such terms and agreements as the board of directors of such consolidated railroad company may prescribe, the stock and bonds of any other company acquired upon consolidation or received by virtue of any purchase or lease or operating contract heretofore or hereafter made or executed, and may maintain and operate any railroad purchased under authority of law, and may lease or contract to operate any part or all of a railroad constructed or in the course of construction by another company of this state or of any other state, if the line of road covered by such lease or operating contract is connected with the line of road of such consolidated railroad company, upon such terms as may be agreed upon between the companies.

Consolidated companies may dispose of stock and bonds acquired by consolidation.

Sec. 3384b. Whenever any consolidated railroad company described in the next preceding section of this act, is in possession of or operating in connection with or extension of its own railroad line or lines, any other railroads or railroad in this state or in any other state or states, under any purchase, conveyance, lease, contract, or agreement, such consolidated railroad company may take a surrender or transfer of the whole or any part of the capital stock of the company conveying, leasing, or owning such railroad, from any one or more stockholder or stockholders, and issue in exchange therefor the like additional amount of its own capital stock at par, or on such other terms and conditions as may be agreed upon by the directors of the consolidated railroad company; and whenever the whole of the said capital stock shall have been so surrendered or transferred, and a certificate thereof filed in the office of the secretary of state, under the common seal of the consolidated railroad company to whom such surrender or transfer shall have been made, the estate, property, rights, privileges, and franchises of the said company whose stock shall have been so surrendered or transferred, shall thereupon vest in and be held and enjoyed by the said consolidated railroad company to whom such surrender or transfer shall have been made, as fully and entirely, and without change or diminution, as the same were before held and enjoyed, and be managed and controlled by the board of directors of the said consolidated railroad company to whom such surrender or transfer of the said stock shall have been made, and the two companies shall thenceforth be consolidated and be one company under the corporate name of such consolidated railroad company, without any other formalities or proceedings what-

Consolidated company may issue its own stock in lieu of purchase money.

Rights, franchises, etc., of railroad acquired by purchase vested in consolidated company.

Rights of stock-
holders: how
affected.

ever; but nothing herein contained shall relieve the said consolidated company from paying the fee specified in paragraphs two (2) and three (3) of section 148a of the Revised Statutes, as amended February 12, 1889. The rights of any stockholder not so surrendering or transferring his stock, shall not be in any way affected hereby, nor shall existing liabilities or the rights of creditors of the company, where stock shall have been so surrendered or transferred be in any way affected or impaired by the provisions of this section.

SECTION 3. That section 3385 of the Revised Statutes be amended so as to read as follows:

Principal
office.

Sec. 3385. The new company shall as soon as convenient after the consolidation, establish a principal office at some point in this state on the line of its road, and may change the same at pleasure; but public notice of such establishment or change shall be given in some newspaper. But this section and the other laws of this state respecting the residence of directors of corporations and the keeping of a principal or general office and the records of corporations, shall not apply to consolidated railroad companies formed by the consolidation of a railroad company or companies created by or existing under the laws of this state and any other state or states, with a railroad company or companies of this state or of any other state; and the election for directors of such consolidated railroad companies may be held at the principal office of the company, whether located in this state, or in any other state under the laws of which the said consolidated railroad company may have been created; provided, however, that at least two of the directors of such consolidated railroad company shall be residents of this state, and that a general office of the company shall be maintained at some place within this state, of which notice shall be given as aforesaid.

Directors.

General office.

SECTION 4. That said original section 3385, and that said section 3309a, as amended March 20, 1884, be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

147G

[Senate Bill No. 241.]

AN ACT

To amend section 2689a of the Revised Statutes of Ohio, as amended April 4, 1888 (85 O. L., 150).

Finance and
taxation:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2689a of the Revised Statutes of Ohio, as amended April 4, 1888, be amended so as to read as follows:

Municipal
taxes: maxi-
mum in mu-

Sec. 2689a. The aggregate of all taxes levied or ordered by any other municipal corporation than cities of the first

municipalities
other than
cities first
grade, first
class.

grade of the first class, including the levy for general purposes, above the tax for county and state purposes, and excluding the tax for schools and school house purposes, shall not exceed in any one year, in cities of the second grade of the first class, nine and one-half mills, for sewer purposes three mills, for paving streets one mill, and such further rate as may be necessary to pay the interest on the public debt, and to create a sinking fund as provided in section 2712; in cities of the second grade of the first class, fourteen mills, provided, however, that out of the proceeds of such levy, the interest on the indebtedness of such corporation shall first be paid; in cities of the first and second grades of the second class, eight mills, and in addition thereto such further rate not exceeding five-eighths of one mill, as may be necessary to create a sinking fund for the payment of the principal and interest of the bonds of said cities that may hereafter be issued for the purpose of building and maintaining main trunk sewers in such cities; in cities of the third grade of the second class, twelve mills; provided, that in cities of the third grade of the second class, which by the last federal census had a population exceeding (15,800) fifteen thousand and eight hundred, such cities for the purpose of constructing wharves and landings, and keeping the same in repair, are authorized to levy such further sum, not exceeding eighteen (18) mills in all, as may be necessary to provide a fund for the construction and keeping in repair of such wharves and landings; in cities of the fourth grade of the second class, nine mills; in villages of the first class, eight mills; and in all other villages, ten mills on each dollar of the value of any property as valued for taxation on the county tax lists; provided, however, that in all cities of the fourth grade of the second class, such further rate may be levied in addition to the foregoing limitation as will enable the cities to comply with the terms of any contract entered into by such cities, or any of them, under the provisions of section 2434, as amended January 29, 1885 (O. L., vol. 82, p. 11); and also provided, that the councils of the municipalities mentioned in this section, shall, annually, at the time the rate of levy is fixed, provide by ordinance for the distribution of the tax among the several departments of the corporation, in such proportion to their needs as the council may deem necessary; and at no time thereafter shall the amount specified as necessary for the purposes named be changed; and all transfers of funds from one account to another are hereby expressly prohibited.

Distribution of
such taxes.

SECTION 2. Section 2689a, as amended April 4, 1888, be and the same is hereby repealed; and this act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.

[Senate Bill No. 278.]

AN ACT

To amend section 5 of "an act to facilitate the administration of justice in the third subdivision of the fifth judicial district," passed February 21, 1878.

Courts:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5 of the above recited act be so amended as to read as follows:

Court may continue and adjourn trial to next term.

Sec. 5. That whenever a jury shall have been empaneled for the trial of any case, or whenever any action, either at law or in equity, shall be on trial in the common pleas court of any county in said subdivision, and it shall be deemed proper in the discretion of the court, by reason of the approaching termination of any term of said court, or for any other cause, to continue and adjourn such trial to the next succeeding term, it shall be lawful for the court to order and direct that the trial be adjourned to a day certain, on which day the case shall proceed and be disposed of as if the trial had commenced at such succeeding term, and this act shall apply to pending cases.

SECTION 2. That said original section of the above recited act be, and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

149G

[Senate Bill No. 63.]

AN ACT

To amend sections 7378 and 7379 of the Revised Statutes of Ohio.

Jails:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 7378 and 7379 of the Revised Statutes of Ohio be amended so as to read as follows:

What the county commissioners shall provide.

Sec. 7378. The county commissioners, at the expense of the county, shall provide suitable means for warming the jail, and its cells and apartments, frames and sacks for beds, night-buckets, fuel, bed, clothing, washing, nursing when required, and such fixtures and repairs as may be required by the court; and they may appoint a physician to the jail, at such annual or other salary as they deem reasonable, to be paid out of the county treasury; and such physician, or any physician or surgeon employed in the jail, shall make a report in writing whenever required by the commissioners, the grand jury or the court. And the sheriff shall make a report to the commissioners annually, or oftener if they so require, of the property of the county in the jail, and the condition thereof.

Physician: compensation of; report of.

Sheriff: report of.

What the sheriff shall provide.

Sec. 7379. The sheriff shall provide for all prisoners, except for those confined in the jail for debt only, board and

such other necessities as the court in its rules shall designate; and he shall be allowed, and paid by the county for services required by the provisions of this chapter, such compensation as the commissioners may prescribe.

SECTION 2. That said original sections 7378 and 7379 be Repeal.
and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
150G

[House Bill No. 243.]

AN ACT

To amend section 5373 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 5373 of the Revised Statutes of the state of Ohio, be amended so as to read as follows:

Sec. 5373. Executions are of three kinds:

1st. Against the property of the judgment debtor, including orders of sale.

Execution:
kinds of.

2nd. Against the person of the judgment debtor.

3d. For the delivery of the possession of real property, including real property sold under orders of sale; the writ shall contain a specific description of the property, and a command to the sheriff to deliver the property to the person entitled thereto; the writ may also require him to make the damages recovered for withholding the possession, and cost or costs alone, out of the property of the person who so withholds the possession.

Writ: what to
contain.

SECTION 2. The original section 5373 is hereby repealed.

SECTION 3. This act shall take effect, and be in force, from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
151G

[House Bill No. 309.]

AN ACT

To amend supplementary section 3771a.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That supplementary section 3771a of the Revised

Colleges, etc.:

Statutes of Ohio, passed April 15th, 1889, be so amended as to read as follows:

How number
of trustees of
certain colleges
increased.

Sec. 3771a. The board of trustees of any university or college heretofore incorporated, but not under the patronage of conferences or other ecclesiastical bodies of any religious denomination, as described in section 3736, may increase the number of such trustees to twenty-four, exclusive of the president, or a less number, and may divide said trustees into six classes, each class to serve six years, and one class to be chosen each year, for said term; but one trustee of each class may be chosen by the votes of the alumni of such university or college, if the board of trustees shall so provide by by-law, in which case it shall also be the duty of the board of trustees to provide, by such by-laws, a method of nominating and electing such appointee of the alumni. The president of such university or college shall, ex-officio, be a trustee perpetually, and shall not be included in the classes going out in rotation. If it shall be necessary, in the first enlargement of the board of trustees, under this section, to distribute new members to the several classes, whose terms shall expire by rotation, the distribution may be made in such manner as the board may direct, so that no trustee shall be elected for a longer term than six years.

SECTION 2. That said original supplementary section 3771a, be and the same is hereby repealed; and this act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
152G

[House Bill No. 672.]

AN ACT

To authorize cities of the second class, third grade, to issue bonds for the purpose of constructing intercepting sewers, and to provide an outlet for sewage, and to procure rights of way therefor, and making connections with sewers, and to be supplementary to section 2370 of the Revised Statutes.

Amendments—
sewers:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to section 2370 of the Revised Statutes:

Councils of
cities second
class, third
grade, may is-
sue bonds for
constructing
intercepting
sewers, etc.

Sec. 2370a. The council of any city of the second class, third grade, three-fourths of the whole number of members elected thereto concurring, may, from time to time as the same may be necessary, issue bonds of said city for the purpose of constructing intercepting sewers for carrying off sewage from the corporation, and to provide an outlet and procure rights of way where necessary, and making connections with main or trunk sewers, which bonds shall be issued, advertised and sold according to law, payable at any time within thirty

years from the date of their issue, at a rate of interest not exceeding five per cent. per annum, payable semi-annually; but said bonds shall not be issued until the council shall have submitted to the electors of such city, at the annual municipal election or at a special election, the question of the issuing of said bonds, of the submission of which question and the amount of bonds proposed to be issued at least ten days' notice shall be given by publication in one or more newspapers of general circulation in the corporation; and in the event said question shall be submitted at a special election, the council shall, by resolution, provide for and call said election to be held at the usual places of holding elections, and the electors who favor the issuing of said bonds shall have written or printed on their ballots the words "Intercepting sewer bonds—Yes," and the electors who oppose the issuing of such bonds shall have written or printed on their ballots the words "Intercepting sewer bonds—No;" and after such bonds have been issued the council shall annually levy on all the taxable property of the corporation a tax sufficient to pay, as they respectively become due, the principal and interest of all bonds issued under the provisions of this section; and council may purchase the materials for such sewers and may let the work in whole or in parts to such bidder or bidders as in its opinion are the lowest responsible bidders, and in the event the construction of sewers has in any such city, at the time of making any such improvement, been placed in the care of a board of commissioners of sewers, in such city the materials and work shall be so purchased and let by such board, subject to the approval of council.

Question of issue to be submitted to vote.

Ballots.

Levy of tax.

Council may purchase materials, and let the work in whole or in parts, etc.

"Board of commissioners of sewers."

SECTION 2. This act shall take effect and be in force from and after the earliest period allowed by law.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.
153G

[House Bill No. 711.]

AN ACT

To amend section 3773 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3773 of the Revised Statutes of Ohio, be so amended as to read as follows:

Religious and other societies:

Sec. 3773. When a religious or educational corporation or society holds any lands within the limits of any city or village which has [have] been used as a cemetery, and interments in which have been prohibited by the ordinances of such municipal corporation, the trustees, wardens, vestry, or other officers intrusted with the management of the property of such corporation or society, may file a petition in the court of common pleas of the county where such property is situated, set-

When and how religious or educational corporation may sell cemetery grounds.

ting forth therein a description of the property, the existence of such ordinance, and the names of all persons holding burial privileges in such cemetery, so far as known to them, and if such privileges are held by persons whose names are unknown to them, the facts as to same, shall also be stated, and asking that the value, if any, of such burial privileges shall be determined by the court, and [the] direction of the court as to the removal of the bodies interred in such cemetery to other cemeteries, and for an order to sell such property free from such burial privileges. Notice of the filing of such petition shall be given by publication in some newspaper, printed and of general circulation in the county where it is filed, for four consecutive weeks, setting forth the object and prayer thereof, and that any persons claiming an interest in the subject-matter of the petition, or burial privileges in such cemetery, may appear and file an answer therein, within six weeks from the date of the first publication of such notice, and after which, such case shall stand for hearing; and if, upon final hearing of the case, it shall be made to appear that such cemetery is as above described, the court shall proceed, with or without the aid of a jury, as the parties appearing may elect, and hear and determine the value, if any, of such burial privileges, and order that the corporation or society shall pay any amount so ascertained to the holder of such privilege, and the court may order said cemetery property sold, free from such burial privileges, and may direct a subdivision of same into lots for the purpose of sale, and shall direct the application of the money arising therefrom, to such uses of such corporation or society, for pious or educational purposes, as the trustees, wardens, vestry, or other officers conceive to be most for the interest of the corporation or society to which the cemetery so sold belonged; but such sale shall not be made until the bodies interred therein are removed to other cemeteries, as directed by the court on the final hearing of the case; provided, that any holder of such burial privilege who may not have appeared in such proceeding, and who has not waived his right to receive compensation for same, may assert his right to receive from such society or corporation, compensation therefor, within five years after the final entry to such proceedings.

Repeal.

SECTION 2. That said original section 3773 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

154G

[House Bill No. 746.]

AN ACT

To amend section one of an act entitled "an act to prevent an excess of public expenditures over receipts," passed February 26th, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "an act to prevent an excess of public expenditures over receipts," passed February 26th, 1890, be amended so as to read as follows:

Sec. 1. That in all cities of the second grade of the first class, it shall be unlawful for any executive or other officer of such city to enter into any contract involving the expenditures of money by such city unless the money to meet the expense is in the public treasury to the credit of the proper fund and unapportioned for any other purpose; provided, however, that money to be derived from taxes, or other revenue, in process of collection, or from the sale of bonds, or notes, duly authorized by law and ordinance shall for the purpose of this act be deemed to be in the public treasury.

Public expenditures; limitation of in certain cities.

SECTION 2. Said original section one is hereby repealed, and this act shall take effect from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

155G

[House Bill No. 750.]

AN ACT

To regulate the emptying of dredging machines in cities of the second grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any city of the second grade of the first class it shall be unlawful for any person owning or operating any dredging machine in any of the waters of such city to dump or deposit the contents of such dredging machine or any boat or scow used in connection therewith in any river in such city or in any waters within one mile of the mouth of such river except by the authority of the mayor and the legislative power of such city.

Dredging machines: unlawful to dump contents in river in city of the first class, second grade.

SECTION 2. That any person violating the provisions of this act shall be fined in any sum not less than twenty dollars nor more than one hundred dollars and may be imprisoned for not more than thirty days.

Penalty.

SECTION 3. This act shall take effect from and after the date of its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

156G

[House Bill No. 769.]

AN ACT

To authorize the commissioners of any county of the state of Ohio, which at the last federal census had, or which at any subsequent federal census may have a population of 21,126, to make an appropriation to the agricultural society of such county.

Agricultural societies: debts of to be paid by county commissioners in certain counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of any county of this state, which at the last federal census had or which at any subsequent federal census may have a population of 21,126, be and they are hereby authorized to make an appropriation not to exceed the sum of \$5,000, out of any money in the treasury of such county, and pay the same to the county agricultural society of such county, for the purpose of liquidating any indebtedness existing against such society at the time of such appropriation.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
157G

[House Bill No. 543.]

AN ACT

To authorize the council of cities of the first class, second grade, to issue bonds for fire department purposes.

Fire department: bonds to be issued for in cities first class, second grade.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the first class of the second grade, are, for fire department purposes, hereby authorized to issue the bonds of such city, in the sum of ninety thousand (\$90,000) dollars, which bonds may be made payable at any time, not to exceed twenty (20) years from the issue thereof, and draw such rate of interest as such council may deem proper, not exceeding five (5) per centum per annum, payable semi-annually.

How bonds to be issued.

SECTION 2. Said bonds may be issued at such time or times, and in such amount or amounts as the convenience of the city may require, and shall have written or printed upon them, the date of the law under which they were issued, and the words "Fire department bonds," and shall not be sold or negotiated for less than their par value, and the proceeds shall be applied exclusively for fire department purposes, and placed to the credit of the fire department fund. Said bonds to be of such denomination, as the said council shall by ordinance prescribe, and shall be signed by the mayor and attested by the city auditor or city comptroller.

SECTION 3. This act shall be in force, and take effect, from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
158G

[House Bill No. 399.]

AN ACT

To amend section 63 of the Revised Statutes, as amended March 6, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 63, as amended March 6, 1888 (85 v., p. 62), of the Revised Statutes of Ohio, be so amended as to read as follows :

Sec. 63. There shall be printed in pamphlet form, the number hereinafter stated of each of the annual reports of the following officers and boards :

Reports of
state officers
and institutions:
number to be
printed; how
distributed.

Secretary of state, including statistics: For the secretary, five thousand copies; for each member of the general assembly, one hundred and twenty copies.

Auditor of state, including detailed statement of receipts and disbursements: For the auditor, nine hundred copies; for each member of the general assembly, ten copies.

Treasurer of state: For the treasurer, three hundred copies; for each member of the general assembly, five copies.

Sinking fund commissioners: For the commissioners, two hundred copies; for each member of the general assembly, five copies.

Attorney-general: For the attorney-general, two hundred copies; for each member of the general assembly, five copies.

Commissioner of common schools: For the commissioner, ten thousand copies; for each member of the general assembly, one hundred copies; for each board of county school examiners, one hundred copies for distribution among teachers, boards of education, and special school boards.

Commissioners of the state library: For the commissioners, four hundred copies; for each member of the general assembly, five copies.

Supervisor of public printing: For the supervisor, two hundred copies; for each member of the general assembly, five copies.

Commissioner of railroads and telegraphs: For the commissioner, one thousand copies; for each member of the general assembly, five copies; each copy to contain a correct railroad map of the state; of railroad maps mounted on paste-board; for each member of the general assembly, twenty-five copies.

**Reports of
state officers
and institu-
tions.**

Commissioners of fisheries: For the commissioners, five hundred copies; for each member of the general assembly, five copies.

State inspector of oils: For the inspector, three hundred copies; for each member of the general assembly, five copies.

Adjutant-general: For the adjutant-general, six hundred copies; for each member of the general assembly, five copies.

Board of public works: For the board, three hundred copies; for each member of the general assembly, five copies.

Warden and directors of the penitentiary: For the warden and directors, five hundred copies; for each member of the general assembly, five copies.

Institution for the education of the deaf and dumb: For the institution, one thousand copies; for each member of the general assembly, ten copies.

Institution for the education of the blind: For the institution, five hundred copies; for each member of the general assembly, five copies.

Columbus asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Athens asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Dayton asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Cleveland asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Longview asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Boys' industrial school: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Girls' industrial home: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Institution for idiotic and imbecile youth: For the institution, one thousand copies; for each member of the general assembly, five copies.

Board of state charities: For the board, two thousand copies; for each member of the general assembly, five copies.

Soldiers' and sailors' orphans' home: For the board of trustees, one thousand copies; for each member of the general assembly, five copies.

Soldiers' and sailors' home: For the board of trustees, one hundred and fifty copies; for each member of the general assembly, two copies.

Ohio state university: For the trustees and officers, five

thousand copies; for each member of the general assembly, five copies.

Reports of
state officers
and institu-
tions.

Inspector of mines: For the inspector, four thousand copies; for each member of the general assembly, twenty-five copies.

Commissioner of statistics of labor: For the commissioner, forty-five hundred copies; for each member of the general assembly, fifty copies.

Superintendent of insurance: For the superintendent, of the fire and life insurance report, two thousand copies; for each member of the general assembly, of the fire and life insurance report, ten copies.

Meteorological bureau: For the board of directors, one thousand copies; for each member of the general assembly, five copies.

Inspector of shops and factories: For the inspector, four thousand copies; for each member of the general assembly, ten copies.

Forestry bureau: For the board of directors, two thousand copies; for each member of the general assembly, twenty copies.

State board of agriculture: For the board, five thousand copies; for each member of the general assembly, one hundred and thirty copies.

The report of the secretary of state, of commissioner of labor statistics, of the inspector of shops and factories, and the state board of agriculture, shall also be printed in the German language; and the secretary of state shall ascertain from each member of the general assembly how many of the copies to which he is entitled, he wishes in the German language, and the aggregate number so determined shall be printed in German and distributed to the members of the general assembly accordingly. The several reports furnished to members of the general assembly shall be boxed and directed to the members in care of the county auditor of the county where they respectively reside, unless the members shall otherwise direct; and the charges for transportation of such reports shall be paid in the same manner as is provided by law for the distribution of laws and journals.

German lan-
guage: reports
to be printed
in.

Transporta-
tion of reports
to members of
general as-
sembly.

Charges.

SECTION 2 That section 63, as amended March 6, 1888 (85 v., p. 62), of the Revised Statutes of Ohio is repealed. Repeal.

SECTION 3. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 14, 1890.

159G

[House Bill No. 541.]

AN ACT

To enact supplementary sections to section 4895 of the Revised Statutes.

Repair of im-
proved roads:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections shall be supplementary to section 4895 of the Revised Statutes, with sectional numbering as follows:

Road districts:
townships in
certain coun-
ties made.

Sec. 4895a. Each township in any county, which at the last federal census had, or at any subsequent federal census shall have, a population of not less than 27,817 nor more than 27,825 is made a road district for the care and maintenance of all public highways, all macadamized or graveled roads which are free roads, whether constructed under general or local laws by taxation or assessment, or both, or converted by purchase, or otherwise from a toll road into a free road under any law, and all turnpike roads or parts thereof, unfinished or abandoned by such turnpike company and appropriated or accepted by the commissioners of the county, and the same shall be kept in repair as herein provided.

Auditor to
notify town-
ship clerks.

Sec. 4895b. Unless such notice has already been given, the auditor of each of said counties shall immediately give notice to the clerk of each township that the trustees are required to take the charge and control thereof; and the auditor shall give the like notice upon the acceptance or appropriation of any other such roads.

Township
clerk to notify
trustees.

Sec. 4895c. The township clerk, on the receipt of such notice from the auditor, shall immediately notify the township trustees of such fact, who shall, upon receipt of the notice, have full charge and control of all such roads as are herein provided for within their township. The trustees shall divide the township into such number of districts as the best interests of the public roads in their judgment may demand, and shall appoint for each of such districts a suitable person, not one of their own number, who shall be a resident of the district, and shall be known as road superintendent.

Trustees to
divide town-
ship into
districts and
appoint road
superintend-
ents.

Road super-
intendent to be
sworn, etc.

Sec. 4895d. Each person so appointed shall, before entering upon the duties of his office, take an oath to faithfully discharge the duties thereof, and give bond to the state of Ohio in a sum satisfactory to the trustees of the township, not less than five hundred dollars, with sureties as the trustees shall require, which bond shall be filed with the township clerk.

Road super-
intendent:
duties of.

Sec. 4895e. When properly qualified the road superintendent shall have full control under the trustees of all such roads within his district, and shall keep them in good repair and condition for all kinds of public travel, and for this purpose he shall have all the powers and privileges of road supervisors for drainage, and for the removal of timber, logs, cordwood or other obstructions found within the limits of the road from time to time. He may, subject to the will of the trustees, contract for all material necessary for repairs, and in cases of floods or freshets, giving rise to breaks in the road-

When may
contract for
material for
repairs, etc.

bed, or washing off large quantities of gravel, he may contract for repairs, either by day or job work, and shall certify the same with itemized account to the trustees, who, upon finding the accounts correct and satisfactory, shall pay them out of the township treasury from funds raised for road purposes. The trustees shall furnish such superintendent with plows, scrapers, or other implements as are necessary for the proper and economical care of the roads. The road superintendent shall at the regular March meeting of the trustees each year, make an itemized report of the receipts and expenditures in his district for road purposes the preceding year; the number of persons in his district who are required by law to perform two days' labor on the public highway, and the number who have performed such labor; the number of miles and the condition for public travel of all roads in his district, and the probable wants of such roads for the ensuing year. The township clerk in his annual statement shall specify the amount of money received and expended for road purposes in each district of the township. The road superintendent shall receive for his services under the preceding sections, two dollars per day for the time actually employed in the care of such roads, and no more, which shall be paid out of the road funds of such township.

To be furnished with implements, etc.; to make annual report.

Township clerk to report money expended.

*Compensation road superintendent.

Sec. 4895f. Any such road superintendent who neglects or refuses to perform the duties enjoined on him herein, or who, under any pretense whatever, gives or signs any certificate for labor or work performed, or material furnished, when the labor has not been performed or material furnished before the giving or signing of such certificate, shall forfeit for every such offense, not less than five dollars nor more than fifty dollars, to be recovered by an action before a justice of the peace within the township where such superintendent resides, and the trustees of the township shall prosecute all offenses against the provisions of this section. The trustees may at any time remove such road superintendent for cause.

Penalty for neglect or refusal to do duty and for signing certificate when work not done or material furnished.

Sec. 4895g. The township trustees shall provide means for keeping in repair all such roads within their township, and in addition to the two days' labor required by law, which shall be worked under the direction of the road superintendent in their respective districts, they shall levy upon the taxable property of the township, a sum sufficient for said purpose, not to exceed two mills on the dollar in any one year, and the same shall be collected as other taxes, and when collected shall be paid by the county treasurer to the township treasurer upon the order of the county auditor. The trustees, in determining the division of the fund, shall be governed, not by the number of miles of road in each district, but by the necessities of the roads, the convenience of getting material, the quality of the material necessary to make substantial repairs, and shall make a just and equitable division of the fund between the districts. In expending the funds provided in this section, the road superintendent shall give preference to those from whom the tax is collected, and for day work shall pay such amount as shall be fixed by the trustees, which shall be uniform throughout the township.

Repair of roads: township trustees to provide means for.

Tax to be levied for.

How fund for to be distributed.

Preference to be given those paying the taxes.

Trustees to fix pay for day work.

Superintendent to keep in repair culverts and bridges when expense limited to fifty dollars.

Sec. 4895h. The superintendent shall keep in repair all culverts necessary for the travel and convenience of such roads; his authority shall extend to the repairing of bridges and culverts in all cases wherein the expenditure of money shall not exceed fifty dollars. He shall have power to contract for the necessary material and labor therefor, and certify the same, together with an itemized account of the expenses incurred to the county auditor, who, upon finding the account proper and correct, and in conformity with the provisions of this section, shall, upon the order of the county commissioners, issue an order on the county treasurer for the amount of such certificate, or so much thereof as may be allowed by them in favor of the party to whom such certificate was issued.

Road supervisor: office abolished in certain counties

Sec. 4895i. In the counties enumerated in section 4895a the office of road supervisor is abolished, and the trustees in their notice of election for township officers, each year shall omit the office of road supervisor in their notice. The road superintendent, as provided for in section 4895c, is invested with all the powers and privileges that are conferred by law upon supervisors; and section 4889 of the Revised Statutes, so far as it relates to Champaign county, is void.

Road superintendent vested with powers of.

Township trustees to levy tax and issue bonds for year 1890.

Sec. 4895j. At the first meeting for that purpose after the passage of this act, the trustees shall levy a tax of not less than one mill, and in order to create available funds with which to work during the summer and fall of 1890, they may borrow or issue certificates of indebtedness for an amount not to exceed three-tenths of the amount levied in 1890; and the sum so borrowed, or raised by certificates of indebtedness, together with interest shall be paid from the moneys derived from the levy for 1890. And there is hereby transferred to the road improvement fund all moneys which may be to the credit of the township bridge funds, or may hereafter come into such funds or any funds derived from the levies heretofore made for road purposes whatsoever.

Money transferred from bridge to road improvement fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 15, 1890.
160G

[House Bill No. 617.]

AN ACT

To amend section 768, of the Revised Statutes of Ohio.

Girls' industrial home:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That section 768, of the Revised Statutes of Ohio, be amended so as to read as follows:*

Board to direct general management of farm.

Sec. 768. The board shall direct the general management of the farm, as regards its productions, mechanical, agricultural and horticultural, and for this purpose may

employ suitable persons to superintend the different producing interests prosecuted on the farm; and the superintendent shall cause the accounts of the institution to be so kept that the profits over the expenses of maintaining the school, can be ascertained, and when thus ascertained, the trustees shall fund such annual profits for distribution among the girls, in shares, to be paid them pro rata, when honorably discharged from the institution; they shall also see that such productions as are not needed by the institution are sold to the best advantage; the value of all productions, whether used or sold, shall be duly accounted for in the annual report.

Superintendent to keep accounts of institution.

Excess of profits over expenses to be distributed pro rata among girls.

SECTION 2. That said original section 768 is hereby repealed; and this act shall take effect, on and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 15, 1890.

161G

[House Bill No. 668.]

AN ACT

To provide compensation for members of county, city and state boards of equalization of appraisement of real estate appraised in 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That each member of any decennial county or city board of equalization, for the equalization of real property as appraised by district assessors, in the year 1890, including the county auditor, shall be entitled to receive for each day necessarily employed in the performance of his duties, the sum of three dollars, to be paid out of the county treasury after the same has been allowed by the board of county commissioners.

Decennial boards of appraisement of real estate: compensation of members of county and city.

SECTION 2. That each member of the state board of equalization, including the auditor of state, for the equalization of real property of the state, as returned to the state auditor by the several county auditors of the state, in the year 1890, shall be entitled to receive for each day necessarily employed in the performance of his duties, the sum of five dollars, also twelve cents per mile each way, for traveling from and to his place of residence, by the most direct route of public travel, to and from the seat of government; the same to be paid out of the general revenue fund of the state, the same having been certified to the auditor of state by the president of the board.

Compensation of members of state board.

SECTION 3. This act shall take effect and be in force, from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 15, 1890.

162G

[House Bill No. 741.]

AN ACT

To provide for the appointment of a non-partisan sewer commission in cities of the third grade of the second class, and to be supplementary to section 2368 of the Revised Statutes of Ohio, and to be known as section 2368a.

Assessments—
sewers:

SECTION 1. *Be it enacted by the General Assembly [of the State] of Ohio,* That the following section be enacted as supplementary to section 2368 of the Revised Statutes, with sectional numbering as herein provided:

Board of sewer
commissioners
in certain
cities; com-
pensation of.

Sec. 2368a. In any city of the third grade of the second class the council shall have power in addition to the power conferred by sections 2366 and 2368 of the Revised Statutes of Ohio, to establish a board of sewer commissioners having the same powers and duties as are conferred by law upon boards of sewer commissioners in cities of said grade and class, but consisting of four members who shall receive such compensation for their services as may be provided by the council, no more than two of said board to be members of the same political party, the members thereof to serve respectively for the terms of one, two, three and four years, said commissioners to be appointed by the mayor of the city and the court of common pleas wherein said city is situate, subject to the approval of the council, and annually thereafter said mayor and court of common pleas shall appoint one member of the board to serve for the term of four years, and shall whenever necessary make appointments to fill all vacancies on said board for the unexpired terms, all the appointments to be approved by the council, but such board of sewer commissioners provided for by this act shall not be established until after the question whether such board shall be established shall have been submitted to the electors of the corporation at the regular annual municipal election or at a special election and a majority of the electors voting on the question at such general or special election shall have voted in favor of the establishment of such a board of sewer commissioners, and the council of the city upon the petition in writing therefor of at least one hundred electors of such city for the submission of said question, shall by resolution provide for such submission at the general election if such petition is filed within sixty days prior to the general election, but if such petition is filed more than sixty days prior to the general election the council shall by resolution provide for and call a special election to be held at the usual places of holding elections, of the time of holding which special election at least ten days' notice shall be given by publication in one or more newspapers of general circulation in the corporation and the council shall give a like notice at least five days prior to any general election at which said question is submitted, and the electors at such general or special election who favor the establishment of such a board of sewer commissioners shall have written or printed on their ballots the words "Board of sewer commissioners—Yes," and those opposed to the establishment of such board of sewer commissioners shall have written or

To be non-
partisan.

By whom ap-
pointed.

Question of
establishing
to be sub-
mitted to vote.

Petition.

Special elec-
tion: notice
of to be adver-
tised.

Ballots.

printed on their ballots the words "Board of sewer commissioners—No;" and if a majority of the votes cast on the question at such general or special election be in favor of the establishment of such a board, the council shall forthwith proceed to establish the same.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 15, 1890.
 163G

[House Bill No. 764.]

AN ACT

Supplementary to section 2293 of the Revised Statutes to authorize villages in certain instances, to make street improvements and issue bonds to defray portions of the expense thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to section 2293 of the Revised Statutes, with sectional numbering, as herein provided:

Sec. 2293d. Whenever it is declared necessary by the council of any village of the first class, in any county containing a city of the first grade, first class, to make more durable street improvements than have heretofore been made therein, every such village is hereby authorized and empowered to cause any of its streets, avenues or highways, to be improved with granite blocks, asphalt pavement, or other material, and in such cases when the method adopted for the payment of such improvements, is that prescribed in this supplemental act, the procedure shall be as follows:

1st. The council shall appoint four citizens, who shall be real estate owners, of such village to be known and to act as commissioners of street improvements. Said commissioners shall be chosen, each for a term of five years, and until their successors are appointed and qualified, and a vacancy occurring in any such office in any manner, shall be filled by appointment in manner aforesaid. The duties and powers of said commissioners shall be performed without compensation, shall be applicable only to such improvements as are made under, and in pursuance of this supplemental act, and shall be the following: They shall organize by selecting one of their number as chairman and by the appointment of some suitable person as their secretary. Three of said commissioners shall form a quorum for the transaction of business, and three concurring votes shall be necessary for the adoption of any resolution or order passed by them. They shall hold regular meetings at a fixed place, and at certain periods, to be by them, named and made known, and in addition, such special meetings as may be found necessary. They shall keep a complete

Assessments:

Councils of certain villages empowered to order streets, etc., improved with granite block, asphalt, etc.

Commissioners of street improvements: appointed by village council; to serve five years.

To receive no compensation.

Organization.

Quorum: three votes necessary to adopt resolution, etc.

Meetings.

Record of all proceedings to be kept.

Secretary, superintendents, etc., to be employed; compensation to be fixed by council.

May be removed by commissioners.

Petitions for improvement: when and how granted.

Improvement to be ordered by council on recommendation of commissioners.

Commissioners to supervise work; material to be furnished and work to be done on their approval.

Claim for extra labor or material to be allowed only on previous written order.

Itemized statement to be presented to council.

record of all their proceedings; the ayes and nays shall be called and entered upon their minutes upon the passage of every resolution or order of any kind; and a copy from the records so kept, certified by the secretary, shall be competent evidence in all courts. Said commissioners shall employ a secretary and such superintendents, laborers and other persons as they shall deem necessary for the execution of their duties, but the compensation of all such employes shall be furnished by council and fixed within limits prescribed by it, and all such employes may be removed by said commissioners at any time; it is also provided, that the services of the village engineer, shall be subject to the control of said commissioners, in respect to all improvements made by virtue of this act. Whenever the owners of more than one-half of the feet front of the lots and lands, abutting on any street, avenue, or public highway, between designated points, petition said commissioners for an improvement thereof, and said commissioners deem it advisable that such improvement shall be made and paid for, according to the provisions of this act, said commissioners shall make an investigation as to the grade and character of improvement required, and a careful estimate of the cost of such improvement; when such investigation and estimate are completed, said commissioners shall report a suitable grade and plan, and the estimated cost to the council with such recommendation in respect thereto as said commissioners shall consider proper. If they, or any three of them recommend the making of such improvement, and not otherwise, the council shall order the same to be made, with the right however to change such grade and plan. And the provisions of the statutes in relation to authorizing and making street improvements, levying and collecting taxes and assessments therefor, and the limitations imposed, in so far as said provisions are applicable, except as modified by this act, shall govern and control the council and lot owners in respect to such improvements. When a contract has been signed for any such improvement, said commissioners shall supervise and control the execution of the work required to be done under such contract, and no material shall be furnished, or work done thereunder, except in accordance with the contract and the approval of said commissioners. Nothing shall be due or recoverable upon any such contracts, until and unless the materials furnished and work done thereunder, are approved in writing, by at least three of said commissioners, and no claim for materials greater in quantity or different in kind, from that prescribed by the contract, and no claim for extra work or service of any kind, shall be allowed or recoverable by action, unless the same shall be shown to have been furnished or done in pursuance of a previous written order, given therefor with the price specified by at least three of said commissioners. Upon the completion of any such improvement, said commissioners shall cause to be prepared and presented to council an itemized statement of the cost thereof, together with the rate of assessment to be charged against the property to be assessed, and the amount due from the village corporation for such improvement.

2nd. The word "owners" as used in connection with the petitions provided for in the above paragraph shall be held to include such guardians and trustees as may be authorized by the court or other body, or persons appointing them to sign any such petition.

Owners: definition of.

3d. The cost of improvements hereunder shall include only such items and expenditures as are mentioned in section 2284, of the Revised Statutes. One-half of the cost of every such improvement, shall be paid by the village at large, out of the funds hereinbelow authorized to be raised for such improvements; provided, however, that such half of the cost shall be held to include all other costs of such improvements required to be paid by the corporation, including the cost of intersections. The remaining half of the cost of every such improvement, shall be assessed upon the parcels of land abutting upon the improvement, in the manner herein prescribed; except that, when any such improved streets are in a direction other than at right angles to the abutting lots then the frontage of all such lots abutting on such improvements, shall be measured and estimated by the base line of a right-angled triangle of which the line of the improved street shall be the hypotenuse; said base line to be considered the actual frontage of such lot for assessment purposes under this act; provided that such one-half of the cost, together with interest at the rate of five per centum per annum on any bonds that may be issued in anticipation of the assessment, shall be assessed and collected in ten (10) equal, annual installments upon the property abutting on the improvement; but any owner so assessed shall have the right to pay said assessment in full, or one or more installments thereof, at any time, with five per cent. interest thereon from date of the assessment.

Cost of improvements: what included in.

One half to be paid by owners of abutting property.

Exception.

Assessments to be in ten annual installments; owner may pay entire assessment at any time.

4th. In order to provide a fund to pay for so much of the cost of the improvements herein mentioned as the village at large is to pay, the council may issue bonds in the name of the village, under its corporate seal; provided, that the total amount of said bonds at no time shall exceed twelve and a half per centum of the total tax valuation of the property, personal and real, of the village; that said bonds shall be made payable in thirty years after the date of their issue, and bear interest at a rate not above four per centum per annum; that they shall be signed by the mayor of the village, and attested by the clerk of the corporation, and shall be secured by the pledge of the faith, and credit of the village, and a tax which shall be levied by the council annually upon the taxable property of the village and certified to the county auditor in an amount sufficient to pay the interest thereon, and to provide a sinking fund for the final redemption of the bonds; that said tax shall be in addition to the amount now and otherwise authorized to be levied in such villages for municipal purposes; and that said bonds shall be sold in the manner provided by law, and the proceeds arising therefrom applied and used only for the purposes mentioned in this act.

Bonds:

Limitation of.

Duration of.

Interest.

Sinking fund for payment of.

To be sold according to law.

SECTION 2. This act shall take effect, and be in force, from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 15, 1890.
164G

[House Bill No. 805.]

AN ACT

To authorize the improving and paving of the streets in incorporated villages, which had, according to the census of 1880 a population not less than 2020 and not more than 2030, and to provide the means therefor.

Certain vil-
lages author-
ized to im-
prove streets.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village, which had, according to the census of 1880, a population not less than 2020 and not more than 2030, is hereby authorized to improve and pave the streets of such village.

Authorized to
borrow money
and issue
bonds.

SECTION 2. That the council of such village is hereby authorized and empowered, at any time within two years after the passage of this act, to borrow the sum of thirty thousand dollars for the purpose of improving and paving the streets of such village, and to issue the bonds of such village therefor. Said bonds shall be signed by the mayor of such village, and be countersigned by the clerk thereof, and shall be for one thousand dollars each, and shall be payable in two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, and thirty-one years, respectively, from the date of the issuing thereof, and shall bear interest at the rate of six per cent. per annum, payable annually, and such bonds may have interest coupons attached thereto. Said bonds shall be sold at the council room in said village, after notice of such sale shall have been given in the newspapers published in said village, for two successive weeks, of the time and place of such sale, which shall not be less than ten days after the first publication of said notice. Said bonds shall be sold to the highest bidder, and shall not be sold for less than the par value thereof. The money arising from the sale of said bonds shall be known as the "street improvement fund," and shall not be used nor appropriated for any other purpose than herein contemplated. In addition to other taxes, the council of such village is hereby authorized, empowered, and required to levy a sufficient tax upon all the taxable property in said village to meet and pay said bonds, and the interest thereon, as the same shall become due and payable. The question of borrowing said money and issuing said bonds and levying said taxes shall first be submitted to the qualified electors of said village, at a special election called by order

Bonds: signed
by the mayor
and counter-
signed by the
clerk: denomi-
nation; when
payable.

Interest.
When and how
sold.

To be sold to
highest bidder,
at not less than
par value.

Fund named.

Tax to be
levied.

Question to be
submitted to
vote.

of the council of such village for said purpose, of which at least ten days' notice shall be given by publication, signed by the mayor of said village, in the newspapers published within the limits of said village, stating the time and place of holding said election. At said election, the ballots shall have written or printed thereon "Street improvement bonds and tax—Yes," or "Street improvement bonds and tax—No;" and if it shall appear that a majority of the electors voting on said question at said election had upon their ballots "Street improvement bonds and tax—Yes," then said council shall proceed to borrow said money, issue and sell said bonds, and levy said tax, as provided for in this section.

Notice of election.

Ballots.

SECTION 3. That two-thirds of the cost of improving any street in such village, for which said street improvement fund shall be used, shall be assessed on the real estate bounding and abutting thereon, and in proportion to the assessed valuation thereof according to the last decennial valuation of said real estate, made before such assessment, except that so much of said improving and paving as shall be done upon street and alley intersections shall be wholly paid out of said street improvement fund. When the council of such village shall have resolved to improve and pave any street in such village, and shall have made such assessment on said real estate bounding and abutting thereon, the mayor of such village shall cause notice of said assessment to be published in some newspaper published and of general circulation in said village. After such improving and paving of any such street shall have been completed, the clerk of such village shall certify said assessment to the auditor of the county in which such village is located, who shall enter the same on the tax duplicate of said county, and said assessment shall be collected in the same manner as are other taxes. When said taxes shall have been collected, the same shall be placed to the credit of said street improvement fund, and shall be a part thereof. Such assessment shall be collected in five equal annual installments from and after the assessment thereof; but the owner of any such assessed property may, within ninety days after such assessment shall have been made, pay to the treasurer of such village the entire amount of such assessment on his or her property, less a rebate at the rate of six per cent. per annum, and such treasurer shall give to the person so paying a receipt in full for such assessment, and such treasurer shall, at the end of said ninety days, certify such payments to the auditor of said county, who shall place on the tax duplicate opposite such assessed property, "assessment paid to village treasurer;" provided, however, that no such assessment shall be made and collected, unless a majority of those owning real estate bounding and abutting on any street shall have first signed a petition to said council, praying for the improving and paving of such street, and praying that such assessment be made for said purpose; and provided, further, that notice of time of presenting such petition shall first be given in some newspaper published in such village, at least five days before presenting the same; and

Cost: two-thirds to be assessed on abutting property.

Improvement of intersections to be paid by village at large.

Mayor to cause notice of assessment to be published.

Clerk to certify assessment to county auditor.

Collections.

Rebate.

Majority abutting property-owners to petition council.

Notice of time of presenting petition to be published.

provided, further that said council shall have first found that a majority of such owners shall have signed said petition.

SECTION 4. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 15, 1890.
 165G.

[House Bill No. 249.]

AN ACT

To amend sections 5298, 5301 and 5302 of the Revised Statutes.

Exceptions:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 5298, 5301 and 5302 of the Revised Statutes be amended to read as follows:

When exceptions must be taken and reduced to writing.

Sec. 5298. The party objecting to the decision must except at the time the decision is made, and time may be given to reduce the exception to writing, but not more than forty days beyond the term at which the verdict of the jury is rendered or the cause is decided, when tried to the court.

When bill of exceptions must be presented for allowance.

Sec. 5301. When the decision is not entered on the record, or grounds of objection do not sufficiently appear in the entry, or the exception is, to the opinion of the court, on a motion to direct a non-suit to arrest the testimony from the jury, or for a new trial for misdirection by the court to the jury, or because the verdict, or if a jury is waived, the finding of the court is against the law and the evidence, or the opinion or rejection of evidence, the party excepting must reduce his exceptions to writing and present the same to the trial judge or judges for allowance within forty days after the end of the term at which the verdict is rendered or the finding of the court is made, or where a motion for a new trial is made and not decided by the court, at the same term of court, at which the verdict is rendered or the decision made within forty (40) days from the end of the term, at which such motion is decided, provided further, that in case the trial judge or judges be absent from the district when such bill of exceptions is so prepared for allowance, then the same may be deposited with the clerk of the court for the examination and allowance of such trial judge or judges, who shall be required to sign and seal said bill of exceptions on or before the first day of the next ensuing term of court.

In case of absence of trial judge or judges.

Time of its allowance and signing.

Sec. 5302. If the exception be not true, then, after it is corrected, the trial judge, or a majority of the judges composing the court, must allow and sign it before the case proceeds, or if the party consents within forty days after the term, or in case of the absence of the trial judge or judges from the district as provided in the preceding section, then, on or before the first day of the next ensuing term, the bill of exceptions shall be filed with the pleadings, and if the

Filing and record.

party request it made part of the records, but not spread upon the journal; and if it is to be signed after the term, the journal must be kept open and the allowance and signing thereof entered thereon as of the term. Provided, that where exceptions are not signed during the progress of the trial, the party excepting shall submit the bill of exceptions to opposite counsel for examination not less than ten days before the expiration of said forty days, and the same shall be submitted to the trial judge or judges for his or their signature not less than five days before the expiration of said forty days. Provided further, that the trial judge or judges may, at his or their discretion, extend the time for signing such bill of exceptions for a period not exceeding ten days beyond the expiration of said forty days; and when such extension is allowed the same shall be endorsed on the bill of exceptions by said trial judge or judges.

SECTION 2. Said original sections 5298, 5301 and 5302, are hereby repealed.

SECTION 3. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 15, 1890.

166G

[House Bill No. 679.]

AN ACT

Making appropriation for contingent expenses of the commission appointed by the supreme court to examine applicants for admission to the bar.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund and not otherwise appropriated, the sum of four hundred dollars, for the contingent expenses of the commission appointed by the supreme court to examine applicants for admission to the bar.

Appropriation
for commis-
sion to ex-
amine appli-
cants for
admission to
bar.

SECTION 2. The sum so appropriated shall be paid out on the warrant of the auditor of state upon vouchers approved by the clerk of the supreme court.

SECTION 3. This act shall take effect and be in force on and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 15, 1890.

167G

[House Bill No. 48.]

AN ACT

To amend section (7634) 14, of the Revised Statutes.

Banks and
banking:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That (7634) section 14 of an act entitled "an act to authorize free banking" (passed March 21st, 1851), be amended so as to read as follows:

Officers: who
eligible.

(7634) Sec. 14. The affairs of every company formed and organized to carry on the business of banking under the provisions of this act, shall be managed by not less than three (3) nor more than nine (9) directors, as may be determined by a majority in interest of the stockholders; every director shall, during the whole term of his service, be a resident of the state; at least three-fourths of the directors shall have resided in this state two (2) years next previous to their election as directors; the directors of each banking company, collectively, shall own at least one-tenth of the capital stock; each director shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of the company, and not knowingly violate, or willingly permit to be violated, any of the provisions of this act; that he is the bona fide owner, in his own right, of the stock, specifying the amount standing in his name on the books of the company, and that the same is not hypothecated or in any way pledged as security for any loan obtained or debt owing, which oath, subscribed by himself and certified by the officer before whom it was taken, shall be filed and carefully preserved in the office of the recorder of the county in which the banking company is located.

SECTION 2. Section 14 of said act is hereby repealed and this act shall be in force, from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 15, 1890.

168G

[Senate Bill No. 95.]

AN ACT

To amend section 2380 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2380 of the Revised Statutes of Ohio be amended so as to read as follows:

Sewer assess-
ments: limit
of: how made,
etc.

Sec. 2380. The assessment shall not exceed the sum that would, in the opinion of the council, be required to construct an ordinary street sewer, or drain, of sufficient capacity to drain or sewer such lots or lands; nor shall any lots or lands be assessed that do not need local drainage, or which are then provided therewith; and the excess of the costs, over the assessment herein authorized, shall be paid out of the sewer

fund of the corporation; or in cities of the third grade of the first class, if the council so determine, may be assessed, in addition to other taxes now authorized by law, on all the real property in the sewer district in which said sewer is or may be constructed according to benefits, and the council of any such city of the third grade of the first class shall have power to borrow money, at a rate of interest not to exceed 5 per cent. per annum, in anticipation of the collection of either or both of said assessments, and to issue the bonds of the corporation therefor, in the same manner and subject to the same restriction as other municipal bonds are issued, and when bonds are issued in anticipation of the collection of any such assessments, they shall be so issued as to fall due at such times as the collections from such assessment may be available for their payment; and when bonds are issued in anticipation of the collection of such assessment, the interest accrued and to accrue on said bonds, shall be considered and treated as a part of the costs and expenses of such sewer for which assessments may be made. Such assessments when made shall become due and payable at the time and in the manner provided by the council, and if said assessment or any installment thereof shall not be paid at the time the same becomes due, a penalty of 15 per cent. shall thereupon attach to such unpaid assessment or installment, and thereafter such unpaid assessment or installment shall bear interest until payment thereof at the same rate as the bonds issued in anticipation of the collection of such assessment; and the county auditor shall annually place upon the tax duplicate the penalty and interest herein provided for. When the council of any such city of the third grade of the first class shall determine to issue bonds in anticipation of the collection of assessments provided for in this section, the provisions of section 2702 shall not apply. The provisions hereof shall apply to improvements already determined upon, ordered or completed, and for the payment of which assessments have not been made.

Bonds: when
to be made
payable, etc.

When assess-
ments, to be
paid: penalty
for forfeiture.

SECTION 2. That said original section 2380 is hereby repealed; and that this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
169G

[Senate Bill No. 153.]

AN ACT

To amend sections 4, 11, 13 and 14 of an act entitled "an act to create a depositary commission in all cities of the second grade of the first class, and to establish a depositary for the funds of such cities, and for other purposes," and to amend section 10 of said act as amended April 16, 1888.

Depositaries
for public
moneys:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4, 11, 13 and 14 of an act entitled "an act to create a depositary commission in all cities of the second grade of the first class, and to establish a depositary for the funds of such cities, and for other purposes," and to amend section 10 of said act, as amended April 16, 1888, be amended so as to read as follows:

Opening of
proposals;
award of use of
public moneys,
etc.

Sec. 4. On the Monday following the last publication of such notice, at the hour of twelve o'clock, noon, the commission shall, in open session, open such sealed proposals and shall award the use of such money to the bank offering the highest rate of interest therefor, or such commission may, if it be deemed for the best interests of the city, reject all proposals, and advertise for others in the manner aforesaid, and if two or more banks offer the same highest rate of interest therefor, the use of the money may be awarded to either of them.

Certain city
officers re-
quired to de-
posit public
moneys with
city treasurer.

Sec. 10. It shall be the duty of every board, officer, agent and employe of each city of the grade and class aforesaid, except the sinking fund commissioners, having money in their hands belonging to the city, to deposit such money with the city treasurer upon the taking effect of this act; and thereafter such boards (except the board of cemetery trustees, and work-house and house of correction commissioners), officers, agents, and employes as receive money on account of the city, shall deposit with such treasurer daily all money so received by them; but the board of cemetery trustees and work-house and house of correction commissioners shall make such deposits weekly.

Deposits by
treasurer in
depositary.

Sec. 11. The treasurer aforesaid shall, upon the receipt of a written notice, signed by the president and secretary of the commission, stating that a depositary has been selected in pursuance of the provisions of this act, and naming the bank selected, deposit in such depositary all the money in his custody belonging to the city, less a sum not exceeding two (2) thousand dollars; and all the money in his custody belonging to the school district, less a sum not exceeding five hundred dollars, and thereafter he shall, at the close of each business day, deposit therein his total receipts for the day, less any sum he may have used in cashing the city auditor's tax abatement and refunding certificates issued by authority of the council; provided, that at least once in each month he shall present said certificates to the city auditor, but money belonging to the city shall be deposited to the credit of the city, and money belonging to the school district shall be deposited to the credit of the school district. All money so deposited shall bear interest at a rate specified in the proposal of the bank

How deposits
to be made.

selected as depository, to be computed on daily balances, and on the thirtieth day of June and the thirty-first day of December each year, and at any time the accounts are closed, the depository shall place such interest on the money of the city to the credit of the city, and that on the money of the school district to the credit of the district, and, in writing, notify the city auditor of the amount so credited to the city, which he shall credit to the interest fund of the city, and in like manner the depository shall notify the president of the board of education of the school district of the amount so credited to the district, which shall be credited to its several funds in proportion to the total amount of each deposited.

Interest to be computed on daily balances.

Notice to city auditor and president of board of education.

Sec. 13. Before noon of each business day the city treasurer shall make to the city auditor a sworn statement, showing the total amount of tax abatement and refunding certificates cashed since the last presentation thereof to the city auditor, as provided for in section 11 of this act; and for the preceding business day, the total amount of money received by him, the total amount deposited in the depository, the total amount of tax abatement or refunding certificates cashed, the total amount of cash remaining in his hands, the total amount of checks issued on the depository, and the balance in the depository, and he shall keep such books as shall enable him to make such statements; and as treasurer ex-officio of the school funds, he shall keep like books on behalf of the school district, and make a like statement before noon of each business day, to the president of the board of education. All money paid to the city treasurer, shall be paid upon the order or draft of the city auditor, and all money paid to the treasurer of the school funds shall be paid upon the order or draft of the president and clerk of the board of education, and receipts given therefor shall be in duplicate, one of which shall have printed upon its face the word "original," and the other the word "duplicate." The duplicates of receipts for money belonging to the city shall be filed with the city auditor, and the duplicates of receipts for money belonging to the school district shall be filed with the president of the board of education, and each duplicate shall be so filed on the day of its date; and each receipt shall state the amount received, from whom received, and to what fund or funds the same is to be applied.

Daily statement by city treasurer.

How money to be paid to treasurer.

Sec. 14. The salaries of all city officials and employees, and the monthly pay rolls of the board of education of the school district shall be paid in cash; and to provide money for such payment, the city auditor, on behalf of the city, and the president and clerk of the board, on behalf of the school district, shall issue their respective warrants authorizing the issuance of checks upon the depository for amounts, to be stated in the warrants respectively, sufficient to meet such demands; but all other warrants shall be drawn in favor of the persons to whom the amount specified therein respectively are due, or in favor of their assigns.

Salaries: how to be paid.

SECTION 2. Said original sections 4, 11, 13, 14 and said section 10, as amended April 16, 1888, are hereby repealed;

Repeal.

and this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 170G

[Senate Bill No. 217.]

AN ACT

To provide for refunding of taxes erroneously paid under section 2742, Revised Statutes of Ohio, in counties containing a city of the first grade of the first class.

Providing for
 refunding of
 taxes errone-
 ously collected
 in certain
 counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That if in any county containing a city of the first grade of the first class, the county or state auditor has sent by any assessor to any person, firm or corporation a blank upon which to return property for taxation, under section 2742 of the Revised Statutes of Ohio, with instructions in said blank showing and directing such person, firm or corporation how the said return should be made of such property for taxation, which instructions have been erroneous and contrary to the said section 2742, and such person, firm or corporation has made return in accordance with such erroneous instructions, and by reason of following said erroneous instructions, said person, firm or corporation has returned for taxation, and paid taxes upon property which, under the said section 2742 should not have been listed, such listing and payment shall be held to be involuntary, and the court of common pleas of said county, in an action brought by any such person, firm or corporation against the county commissioners of said county, and upon lawful proof of any such involuntary payment, shall render judgment for the recovery of the amount of said payment, but without interest or costs; and thereupon such county commissioners shall cause the same to be paid out of any unexpended funds belonging to said county in the county treasury. Provided, however, that no taxes so erroneously paid shall be so sued for and refunded by said county commissioners unless a claim in writing, duly verified by such person, firm or corporation, has been filed and presented therefor with the county auditor of such county within six years from the time of payment of such erroneous taxes.

SECTION 2. This act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 171G

[Senate Bill No. 260.]

AN ACT

To authorize cities of the second grade of the first class to borrow money in anticipation of the collection of a levy for paving streets.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever any city of the second grade of the first class shall make a levy on the general tax list for the purpose of paving streets, such city shall have power to borrow, at a rate of interest not exceeding six per centum per annum, in anticipation of the collection thereof, a sum of money not exceeding in the aggregate ninety-five per cent. of the amount levied; and may issue notes therefor in manner and form as provided by section 2706 of the Revised Statutes, which shall be offered for sale to the sinking fund commissioners in conformity to the provisions of section 2709 of the Revised Statutes.

Authorizing certain cities to borrow money in anticipation of tax for paving streets.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
172G

[Senate Bill No. 268.]

AN ACT

Supplementary to section 2314 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 2314 of the Revised Statutes of the state of Ohio, with sectional numbering as follows:

Assessments:

Sec. 2314b. In cities of the first grade of the first class, whenever any portion of the cost of any improvement shall have been reserved or retained by such city or any of the authorities thereof, to indemnify and protect the city against any loss or damage, to be ascertained within a given time, by reason of imperfect work or materials on such improvement, or to secure the keeping of said improvement in repair for a stated time, such city shall pay over to the contractor or contractors for such improvement, upon an order which shall be made by the board of public improvements of such city, the money so retained or withheld; or any securities or interest-bearing bonds in which the same may have been invested, upon said contractor or contractors executing and delivering to the city a good and sufficient bond with sureties to the satisfaction of the trustees of the sinking fund of such city, conditioned that such contractor or contractors shall keep such improvement in repair, as provided in the contract for the same, and fully indemnify and protect said city against all loss or damage it may sustain by reason of the withdrawal

Reserve improvement fund: when may be paid to contractors.

of such fund or interest-bearing bonds or securities, to the extent of the amount so withdrawn.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 173G

[Senate Bill No. 272.]

AN ACT

To authorize cities of the first grade of the second class to issue bonds in order to pay for the building of viaducts over railway tracks that cross public thoroughfares in such cities, and to levy a tax to pay the same.

Viaducts over
 railway tracks:
 certain cities
 authorized to
 issue bonds to
 construct.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That councils of cities of the first grade of the second class be and they are hereby authorized, in order to pay for the building of viaducts over railway tracks that cross public thoroughfares in such cities, to issue the bonds of said cities not to exceed in the aggregate one hundred thousand dollars. Said bonds shall be designated, viaduct bonds; shall be issued in denominations of one thousand dollars each; shall run for such time as said councils determine, not to exceed thirty years; shall bear such interest as said councils determine, not to exceed six per centum per annum, said interest to be paid annually or semi-annually as said councils determine; and shall be issued according to the provisions of the statutes regulating the issue of other bonds of such cities.

Levy of tax

SECTION 2. To pay the principal and interest of said bonds, said councils are hereby authorized to levy annually upon all the taxable property of said cities, a tax sufficient in rate and amount to pay said interest, and to provide a sinking fund to pay said principal at maturity, and said tax may be additional in rate and amount to all other taxes authorized to be levied by said cities for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 174G

[Senate Bill No. 274.]

AN ACT

To amend section 2 of an act entitled "an act to aid in the establishment and maintenance of a combined normal and industrial department at Wilberforce university, Greene county," passed March 19, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of the above entitled act be and the same is hereby amended so it shall read as follows, viz. :

Wilberforce university:

Sec. 2. To carry out the purposes of this act there shall be and hereby is created a board of eight trustees, to be known as "the board of trustees of the combined normal and industrial department at Wilberforce university;" three shall be appointed by the governor, by and with the advice and consent of the senate, and three shall be chosen by the board of trustees of said university. The governor of the state and the president of the university shall be ex-officio, members of said board. The trustees so to be appointed by the governor, as aforesaid, shall be appointed on or before the first day of May, 1888, and they shall hold their offices respectively, as follows: One for one year, one for two years and one for three years, the term of each to begin to run from July 1, 1888; said terms shall be designated by the governor in his messages of appointment to the senate, and in the commissions issued to such trustees. At the session of the senate next preceding the expiration of the term of any trustee, the governor shall appoint his successor for the term of three years; and every appointment of the governor under this act shall be submitted to the senate for confirmation.

Board of trustees: to consist of eight members.

Governor of state and president of university to be members ex-officio.

SECTION 2. Section 2 of said act is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

174½G

[House Bill No. 22.]

AN ACT

To supplement section 2759, title XIII, chapter 2 of the Revised Statute^s of Ohio, relating to the listing of personal property, with section number 2759b.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2759 of the Revised Statutes of Ohio be supplemented with section numbering as follows:

Listing personal property:

Sec. 2759b. That the provisions of section 2759 shall apply to and govern savings banks incorporated under the act of April 16, 1867.

Incorporated savings banks.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 175G

[House Bill No. 346.]

AN ACT

To prevent abandonment and pauperism.

Abandonment
 of child by
 parent made a
 misdemeanor.

Parent to give
 bond to
 support child.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the father, or when charged by law with the maintenance thereof, the mother, of a legitimate or illegitimate child or children under sixteen years of age, living in this state, who being able, either by reason of having means, or by personal services, labor or earnings, shall neglect or refuse to provide such child or children with necessary and proper home, care, food, and clothing, shall upon conviction be deemed guilty of a misdemeanor and punished by imprisonment in jail or in a work-house at hard labor for not more than one year, nor less than three months; provided, however, if after such conviction and before sentence, he shall appear before the clerk of the court in which said conviction shall have taken place, and with good and sufficient surety, to be approved by said clerk, enter into bond to the state of Ohio, in the penal sum of one thousand dollars, conditioned that he will furnish such child or children with necessary and proper home, care, food, and clothing, the said court may suspend sentence therein.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 176G

[House Bill No. 789.]

AN ACT

To authorize certain villages of the first class to purchase lands for public works and improvements, and to issue bonds therefor.

Certain vil-
 lages author-
 ized to issue
 bonds to pur-
 chase land for
 public works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village of the first class which had by the federal census of 1880 and which may have, by any subsequent federal census, a population of three thousand eight hundred and eighty, is hereby authorized to contract for and purchase lands, not exceeding eighteen acres, and use the same for such purpose for improvements and pub-

lic works as the council of said village may deem to the best interests of such village, and for the purpose of purchasing such lands and making such improvements to issue bonds to the amount of fifteen thousand dollars (\$15,000.00), and in such amounts and denominations, and payable at such times as the council of such village may determine, by resolution. Such bonds shall be signed by the mayor, countersigned by the clerk and attested by the seal of such village, and shall bear interest at a rate not to exceed six per centum, payable semi-annually from date thereof. And in no event shall such bonds be disposed of for less than par value thereof.

SECTION 2. That said village council is hereby authorized to lease such real estate, for such terms, and on such conditions, and reservations as may by it be determined by resolution; or such village council may sell and convey such real estate for such consideration, and upon such terms, conditions and reservations, and to such person or persons as may by it be determined by resolution, and make such improvements, and expend any balance of such money as may be to the best interests of said village.

Council authorized to lease or sell such land.

SECTION 3. That the powers herein conferred shall in no case be exercised by the council of any such village, until the same be authorized by a vote of the qualified electors of such village, taken at a general or special election held therein; that for the purpose of submitting such proposition to a vote of such electors, the clerk of such village, shall give notice of the time of holding such election, which shall be published in all newspapers published in such village, at least ten days prior to the day of holding such election; such election shall be held at the usual places of holding elections, and by the officers authorized to preside at elections in such village. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of such village, who with the mayor of such village, shall, at any regular or special meeting of the village council, and in the presence of a quorum of such council, proceed to canvass such vote, and the village clerk shall enter the number of votes cast for such proposition, and the number of votes cast against such proposition in such village, and if it shall appear by the returns of such election that a majority of all the electors voting at such election have voted in favor of such proposition, such village council shall be authorized to exercise the powers conferred by this act, and if a majority of such electors voting at such election, shall not have voted in favor of such proposition, such council shall not exercise the power conferred by this act. The ballots voted at such election shall have written or printed thereon the words, "For the issue of bonds—Yes," and those against "For the issue of bonds—No."

Question of purchase must be submitted to vote.

SECTION 4. That the resolutions of such village council herein provided for, shall forthwith be entered by the village clerk upon the ordinance book of such village, and shall take effect after their publications.

Resolutions of council to be entered upon ordinance book.

SECTION 5. That all contracts or conveyances authorized by this act shall, upon the part of the village, be signed by the

Contracts, etc., to be signed by the mayor, etc.

Tax to be
levied.

mayor, countersigned by the clerk, and attested by the seal of such village; and the village council is hereby authorized to levy such tax, not to exceed two mills, in addition to the rate now authorized by law upon taxable property of such village, each year thereafter as may be necessary to pay the interest on such bonds as the same may become due, and to provide a sinking fund to pay the principal of such bonds at maturity.

SECTION 6. This act shall take effect and be in force after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

177G

[House Bill No. 796.]

AN ACT

To amend supplementary section 4836g of the Revised Statutes of Ohio.

Two-mile
assessment
pikes:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That supplementary section 4836g of the Revised Statutes, passed April 6th, 1889, be so amended as to read as follows:

Issue of bonds
for construction
and repair
of improved
roads.

Sec. 4836g. The commissioners of any such county, containing a city of such third grade, first class, are hereby authorized, whenever, in their judgment, it is desirable, to issue and sell the bonds of such county to an amount not in excess of fifty thousand dollars (\$50,000), for the purpose of paying such county's share of the costs and expenses of contracting [constructing] macadamized, stone or gravel roads, as provided in said preceding supplemental sections to said section 4836; said bonds to state for what purpose issued, to bear interest at a rate not in excess of four and one-half per cent. per annum, payable semi-annually, to mature in not less than ten years nor more than twenty years after their issue, and not less than five thousand dollars nor more than twenty thousand dollars of said bonds shall mature in any one year, and they shall be sold according to law, and for not less than par and accrued interest; the proceeds of such bonds to be applied and used exclusively for the same purposes and in the same manner as the levy of seven-tenths of one mill provided for in said supplementary sections, and may be in addition to such levy or any part thereof; and the interest and principal of such bonds to be paid from said levy of seven-tenths of one mill, or any part of same.

SECTION 2. That this act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

178G

[Senate Bill No. 112.]

AN ACT

To amend section 3380 of the Revised Statutes of Ohio, relative to the consolidation of railroad corporations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3380 of the Revised Statutes of Ohio be so amended as to read as follows:

Railroad companies:

Sec. 3380. A company organized in this state for the purpose of constructing, owning and operating a line of railway, or whose line of road is made or is in process of construction to the boundary line of this state, or to any point either in or out of the state, may consolidate its capital stock with the capital stock of any company in an adjoining state, organized for a like purpose, and whose line of road has been projected, constructed or is in process of construction to the same point, where the several roads so united and constructed will form a continuous line for the passage of cars, and roads running or to be constructed to the bank of a river which is not bridged, or to the tracks and property of a union depot company, the use of which is enjoyed by either of the companies so proposed to be consolidated, shall be held to be continuous under this section.

Consolidation of domestic with foreign railway corporation.

SECTION 2. Original section 3380 of the Revised Statutes is hereby repealed. Repeal.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.

179G

[Senate Bill No. 13.]

AN ACT

Supplementary to an act entitled an act to provide for a commission to establish the boundaries and lines of the canals, and canal basins, reservoirs, etc., etc., of the state by an accurate survey by metes and bounds, together with maps and plats of the same, and to define and protect the ownership and titles of the state in and to all lands belonging to and connected with said canals.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the term of office of the commission appointed by the authority of an act entitled "an act to provide for a commission to establish the boundaries and lines of canals, canal basins, reservoirs, etc., of the state, by an accurate survey by metes and bounds, together with maps and plats of the same, and to define and protect the ownership and titles of the state in and to all lands belonging to, and connected with said canals," passed March 28, 1888, having expired by limitation, and the work assigned to said commission not having been completed, the governor is hereby authorized to appoint by and with advice of the senate, a

Canal commission:

Governor authorized to appoint.

commission of three persons, not more than two of whom shall belong to the same political party, who shall complete the work prescribed in the above recited act, and the act amendatory thereto passed April 12, 1889, and in the manner therein provided. The term of office of said commission shall be for two years, but any member thereof may be sooner removed by the governor; and the governor is further authorized to fill any vacancy which may occur in the commission. The members of said commission shall give bond and receive the same compensation and allowance for necessary expenses as provided in section 1, of the act to which this is supplementary. That section 9 of the act to which this is supplementary be so amended as to read as follows:

Suits against unlawful occupants and persons carrying away material, etc.

Sec. 9. That if said commission shall find that any person or persons, or corporation is unlawfully in possession, use or occupation of any land belonging to the state of Ohio, or has taken, carried away [or] in any manner injured the whole or any part of any canal lock, or weigh[t] lock, culvert, aqueduct, or canal bridge or any of the abutments thereof belonging to said state, or any of the material used in the construction of any such lock, culvert, aqueduct, or canal bridge or any of the abutments thereof belonging to said state, it shall direct the attorney-general, and it is hereby made his duty, to bring a civil action or civil actions to recover the possession of such lands or damages for the property so taken, carried away or injured, and any person or persons who may have advised or unlawfully aided any other person or persons to injure said property or take it or carry it away, may in every such action be made a co-defendant with the person or corporation, who so took, injured or carried away said property, and such a joint or several judgment may be had therein against him in such action as may be right and proper therein. And any suit or suits authorized to be brought by this act shall be commenced in the county where such property is situated.

Suit to be entered in county where property is situated.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed April 18, 1890.
180G

[Senate Bill No. 279.]

AN ACT

To authorize the board of county commissioners in any county containing a city which, at the last federal census had, or which at any subsequent federal census may have, a population of 6046, in which a main sewer or ditch has been built by said commissioners, to grant permission for the construction of branch sewers or ditches, and also grant permits to resident lot owners on the line of such main or branch sewer to tap same for house use.

County commissioners empowered to

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That where a main sewer or ditch has been con-

structed in any city which, at the last federal census had, or which at any subsequent federal census may have, a population of 6046, by the county commissioners, and is under the control of said commissioners, said county commissioners are hereby authorized and empowered to grant permits for the construction of lateral or branch sewers to connect therewith.

authorize construction in certain cities of branches to main sewers, etc.

SECTION 2. When a petition, signed by two or more lot or land-holders, is presented to such board of commissioners, praying for a permit to construct a branch sewer or ditch to connect with said main sewer or ditch, said board shall order said petitioners to enter into a contract to construct such branch sewer or ditch in accordance with the plans and specifications therefor, as hereinafter provided; also enter into a good and sufficient bond conditioned for the faithful performance of such contract, according to such plans and specifications, and said branch sewer or ditch when so constructed by the petitioners, shall be examined by said board of commissioners, and if found to be in all respects in accordance with said plans and specifications therefor, shall be accepted by said board, and become a part of the main sewer or ditch, owned and controlled by said board of county commissioners.

Petition to be presented by freeholders.

Contract.

SECTION 3. Said board of county commissioners shall appoint a competent engineer to survey the line of said proposed branch sewer or ditch, and prepare plans and specifications for the construction of the same. Said plans and specifications shall be examined and approved by said board of county commissioners before they grant permission and make said contract for the construction of such branch sewer or ditch. Said board of commissioners, together with the engineer appointed by them, shall ascertain the entire costs of said branch sewer or ditch, to which shall be added the costs, if any, that may be incurred in the survey of the same, and when they have so found the aggregate cost thereof, they shall apportion the same to each lot or land-owner who has signed said petition or tapped said sewer or ditch along the line of the same, according to the benefits derived therefrom. And the board of commissioners shall, by an order on their journal, prescribe the manner in which said assessments so apportioned shall be paid, but in no event shall the payments extend over the period of two years.

Survey of line of branch sewer, etc.

Apportionment of assessment.

SECTION 4. Parties owning property abutting upon a street or public highway, in and through which such sewer or ditch and branch are constructed, shall have the privilege of tapping and using such sewer or ditch and branch for the purpose of draining their premises, under such rules and regulations as may be prescribed by the board. And the board may require such persons contracting to build such house connections to procure a license from the board, and may charge therefor such sum as may be deemed just.

Tapping of sewer and branch: who may do so.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.

181G

[House Bill No. 58.]

AN ACT

To amend sections 3212 and 3213, as amended April 14th, 1886.

Lien:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3212 and 3213, of the Revised Statutes of Ohio, as amended April 14, 1886, be so amended as to read as follows:

Lien for care of animals.

Sec. 3212. A person who feeds or furnishes food and care, or either, for any horse, foal, filly, gelding, cattle, sheep, swine, mule or ass by virtue of any contract or agreement express or implied, with the owner, or person having possession thereof, shall have a lien therefor, to secure the payment of the same, upon such animal.

Sale of animal to satisfy claim.

Sec. 3213. A person feeding or furnishing food and care, or either, for any horse, foal, filly, gelding, cattle, sheep, swine, mule or ass, shall retain such animal for the period of ten days, at the expiration of which time, if the owner or the person who had possession of such animal does not satisfy such lien, he may sell such animal at public auction after giving the owner and person who had possession of such animal ten days' notice of the time and place of sale in a newspaper of general circulation in the county where the food was furnished or the care bestowed; and after satisfying the lien and cost that may accrue, any residue remaining shall be paid to the owner of such animal, or person who may be legally entitled to the same.

Repeal.

SECTION 2. That sections 3212 and 3213, as amended April 14th, 1886, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.
182G

[House Bill No. 330.]

AN ACT

To prevent supervisors from working out road tax, other than their own.

Supervisors not to work out road tax other than their own.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no supervisor shall directly or indirectly be concerned in any contract for working out the road tax, other than his own, provided for in section (4738) four thousand seven hundred and thirty-eight, under the penalty provided for in section (4742) four thousand seven hundred and forty-two.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.
183G

[House Bill No. 591.]

AN ACT

To authorize guardians to lease the real estate of their wards for mining purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the guardian of the person and estate, or estate only, of any minor, may be authorized by the probate court of the county in which the lands are situated, to lease, upon such terms and for such period of time, not exceeding ten years, any lands in such county belonging to such ward, supposed to contain coal, for the purpose of mining for and removing the same, and if said period of ten years extend beyond the minority of such ward, it shall then terminate as to such ward unless such ward confirms the same.

Real property of minors : may be leased for ten years for mining purposes.

SECTION 2. Upon the filing of such petition, the court shall fix a time for hearing the same, which shall not be less than five nor more than fifteen days from the filing thereof, and shall order the petitioner to give notice in writing to his ward, who shall be defendant to said petition, of the filing and prayer thereof, and the time the same will be heard, which notice shall be served not less than five days before the hearing, and he shall return to the court a copy of said notice, stating the time and manner of service thereof.

Petition: time for hearing.

SECTION 3. At the time appointed for the hearing of the petition, if the court find that it will be to the advantage of the ward to lease the lands as prayed for in the petition, said court shall appoint three disinterested freeholders of the vicinity, who are not of kin to the petitioner, to view such lands and report in writing to the court their opinion as to the prospects of their containing coal, and in what quantity, and the terms upon which it would be advantageous to said ward to lease said lands for mining said coal, and before entering upon the discharge of their duties under this act, said freeholders shall take an oath to faithfully and impartially discharge such work.

Land to be viewed by disinterested freeholders.

SECTION 4. Upon the report of said freeholders being returned to and filed with said court, if said court shall be satisfied that it will be to the advantage of said ward to lease the lands for such mining purposes, such court shall order such guardian to lease the same, upon such terms as said court may direct, which shall not be less favorable to the ward than those reported by the freeholders.

Probate court to order lease.

SECTION 5. The guardian shall, within six months after the receipt of the first royalty under such lease, report to the court the amount thereof, and the court shall then fix a bond which will cover the royalty from said lease, and the court may, at any time he may deem the bond insufficient to secure the same, increase the bond or require new bond.

Royalty: report of by guardian; bond to cover.

SECTION 6. If the guardian shall be unable to lease the lands upon the terms ordered, he may report the fact to the court, and the court may, in its discretion, change the terms of leasing, but not below the customary royalty in the vicinity of said lands.

Change in terms of leasing.

Lands owned
in common by
minors.

SECTION 7. Where the same person is guardian of two or more minors owning lands in common, said minors may be joined as defendants in the same petition, or if such minors have different guardians, such guardians may unite in the same petition under this act.

SECTION 8. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 18, 1890.
184G

[House Bill No. 615.]

AN ACT

To amend section 3634 of the Revised Statutes of Ohio, as amended April 14th, 1888.

Insurance
companies
other than life:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3634 of the Revised Statutes be so amended as to read as follows:

Capital joint
stock and
mutual fire
insurance com-
panies before
organization
must have.

Subscriptions
to insurance in
mutual com-
panies.

Annual cash
premiums col-
lectible in ad-
vance by
mutual com-
panies.

Contingent
mutual liabili-
ty for losses
and expenses.

Sec. 3634. No joint stock fire insurance company shall be organized under this chapter with a smaller capital than one hundred thousand dollars, which shall be divided into shares of one hundred dollars each; nor shall any company on the plan of mutual fire insurance be organized until not less than five hundred thousand dollars of insurance, in not less than two hundred separate risks, no one of which shall exceed \$5,000, have been subscribed and the premium thereon, for one year, paid in cash, aggregating not less than \$10,000 in cash, each subscriber agreeing, in writing, to assume a liability to be named in the policy, subject to call by the board of directors, in a sum not less than three nor more than five annual premiums. And the same liability shall also be agreed to in writing by each subsequent subscriber or applicant for insurance, who is not a merchant or manufacturer. And each subscription before organization shall be accompanied by a certificate of a justice of the peace of the township or city where such subscriber resides, that the subscriber is, in his opinion, pecuniarily good and responsible to the extent of the contingent liability agreed to be assumed. Mutual fire insurance companies organized under this act may thereafter charge and collect in advance upon their policies a full annual premium in cash, but such policies shall not compel subscribers, insured or assured, to renew any policy nor pay a second or further annual or term premium. Any such company must, in its by-laws, and must in its policies, fix by a uniform rule the contingent mutual liability of its members for the payment of losses and expenses; and such contingent liabilities shall not be less than three nor more than five annual cash premiums as written in the policy; but such liability shall cease with the expiration of the time for which a cash premium has been paid in advance, except

for liability incurred during said time; but nothing in this section shall apply to associations for the mutual protection of their members against loss by fire heretofore or hereafter organized as provided in section 3686 of the Revised Statutes.

Mutual fire associations exempted.

SECTION 2. That said original section 3634, as amended April 14, 1888, be and the same is hereby repealed; and this act shall take effect on its passage.

Repeal.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 18, 1890.

185G

[House Bill No. 771.]

AN ACT

To amend section five thousand and forty-eight of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5048 of the Revised Statutes of Ohio be so amended as to read as follows:

Constructive service:

Sec. 5048. Service may be had by publication in either of the following cases:-

When service by publication may be made.

1. In actions under the first three sections of the last chapter, when the defendant resides out of the state, or his residence can not be ascertained.

2. In actions to establish or set aside a will, and in actions authorized by section six thousand two hundred and two (6202) of the Revised Statutes, when a defendant resides out of the state, or his residence can not be ascertained.

3. In actions in which it is sought by a provisional remedy to take, or appropriate in any way, the property of the defendant, when the defendant is a foreign corporation, or a non-resident of this state, or the defendant's place of residence is unknown, and in actions against a corporation incorporated under the laws of this state, which has failed to elect officers, or to appoint an agent, upon whom service of summons can be made, as provided by section five thousand and forty-four, and which has no place of doing business in this state.

4. In actions which relate to, or the subject of which is real or personal property in this state, when a defendant has or claims a lien thereon, or an actual or contingent interest therein, or the relief demanded consists wholly or partly in excluding him from any interest therein, and such defendant is a non-resident of the state, or a foreign corporation, or his place of residence can not be ascertained.

5. In actions against executors, administrators, or guardians, when the defendant has given bond as such in this state, but at the time of the commencement of the action is

a non resident of the state, or his place of residence can not be ascertained.

6. In actions where the defendant, being a resident of this state, has departed from the county of his residence, with intent to delay or defraud his creditors, or to avoid the service of summons, or keeps himself concealed with like intent.

7. When a defendant in a petition in error has no attorney of record in this state, and is a non-resident of and absent from the same, or has left the same to avoid the service of summons in error, or so conceals himself that such process can not be served upon him.

8. In an action or proceeding under chapter six, division four, of this title, or to impeach a judgment or order for fraud, or to obtain an order of satisfaction thereof, when a defendant is a non-resident of the state.

In any such case, when the residence of a defendant is known, it must be stated in the publication; immediately after the first publication, the party making the service shall deliver to the clerk copies of the publication, with the proper postage, and the clerk shall mail a copy to each defendant, directed to his residence named therein, and make an entry thereof on the appearance docket; and in all other cases, the party who makes the service, his agent or attorney, shall, before the hearing, make and file an affidavit that the residence of the defendant is unknown, and can not, with reasonable diligence, be ascertained.

SECTION 2. That said section five thousand and forty-eight (5048) be and the same is hereby repealed; and this act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.

186G

[House Bill No. 785.]

AN ACT

To amend section 7388--18 of the Revised Statutes, being section 3 of an act to establish an intermediate penitentiary and to provide for the appointment of a board of managers to locate construct and manage the same.

Intermediate
penitentiary:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 7388--18 of the Revised Statutes, being section 3 of "an act to establish an intermediate penitentiary and to provide for the appointment of a board of managers to locate, construct and manage the same," be amended so as to read as follows:

Board of man-
agers: appoint-
ment.

(7388--18) Sec. 3. The governor is hereby authorized to appoint by and with the advice and consent of the senate, five persons, who shall act as a board of managers of said intermediate penitentiary, and not more than three members of

which board shall belong to the same political party. Of the managers so appointed, one shall serve one year, one two years, one three years, one four years and one five years, as may be designated by the governor at the time of their appointment; and at the expiration of the term of office of each member of the board, his successor shall be appointed in the manner and by the authority as hereinbefore provided, but for the term of five years. Whenever a vacancy occurs in the board of managers, otherwise than by the expiration of the term of a manager, such vacancy shall be filled by appointment by the governor, by and with the advice and consent of the senate, if the senate be in session, and if the senate be not in session, then subject to the confirmation of the senate when it next convenes, for such term to be designated by the governor at the time of appointment, as shall preserve and insure the rotation in office of the managers, the same as if one manager should be appointed every year, at the expiration of a manager's term, for the term of five years; provided, that the governor may, at his discretion, remove any member of the board of managers. Immediately upon their appointment and confirmation as herein provided, the board of managers shall convene in the city of Mansfield. The president of the board shall be the member having the shortest time to serve. Three members of the board shall constitute a quorum for the transaction of business.

Term.

Vacancy.

Governor may remove members.

President of board.

Quorum.

SECTION 2. Said original section 3 of said act is hereby repealed.

Repeal.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 18, 1890.
 187G

[House Bill No. 820.]

AN ACT

To create and perpetuate a board of trustees of the firemen's pension fund; to provide and distribute such fund for the pensioning of disabled firemen and cadet employes and the widows and dependent children, mothers or fathers of deceased firemen and cadet employes; to authorize the retirement from all service of disabled members and cadet employes and all members after a service of twenty-five years, and the pensioning of such members of the paid fire department; and for other purposes in connection therewith, in cities of the second grade of the first class, and to repeal the act of April 30th, 1886, creating such board.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor, city solicitor, and director or person or persons having charge or control of the fire department in any city of the first class, second grade, and three other per-

Board of trustees of the firemen's pension fund.

sons members of the fire department in such cities elected as hereinafter provided, and the successors of each of the above, shall constitute and be the trustees for the distribution of the pension fund now existing or hereafter provided, and shall be called the "board of trustees of the firemen's pension fund."

Election of three trustees:	SECTION 2. Six members of the fire department shall be nominated for such office of trustee in a convention to be composed of one delegate from each fire company, fire alarm telegraph company, and from the general office belonging to the fire department of any such cities, and called by the chief of such fire department, and convened at least two weeks prior to the election of such trustees. That such election shall be held in the respective houses or headquarters of such fire companies, telegraph department and general office, and be by ballot cast by the members of the said fire department between the hours of 9 o'clock in the forenoon and 6 o'clock in the afternoon on the first Tuesday of January in each and every year hereafter, but the present trustees of the fire department shall serve out the term for which they were elected. That every such member shall be entitled to cast only one ballot, and no ballot shall contain the names of more than three persons, and the three persons receiving the highest number of votes shall be declared elected as such trustees, and hold their office until their successors are duly elected. That the officer in command of any such company, on the day of and immediately after holding such election, shall canvass, count, and certify in writing the number of ballots cast and the votes received by each candidate for the office of trustee. After signing such certificate, said officer in command shall at once address and deliver the same to the secretary of the said board of trustees. That the president and secretary of the said board of trustees shall together, within three days after receipt of such certificates by said secretary, open the same and ascertain, and determine the total number of votes so cast at said election for the different persons for the office of trustee, as returned by the said officer in command, and under the respective hands of such president and secretary, issue certificates of their election to the three persons elected as such trustees. In case of a tie vote being received by any two persons for the office of said trustee, such tie vote shall be decided by casting lots or in any other way which may be agreed upon, by and between the persons for whom such tie vote was cast. No election shall be set aside for want of formality in balloting by such members, or certifying or remitting the returns of any such election by said officer in charge.
Place.	
Time.	
Ballots.	
Count.	
Returns.	
Declaring result.	
Certificates.	
Tie vote.	
Formality not required.	
President and secretary of board.	SECTION 3. The mayor, and secretary of the fire department in such cities shall also be respectively the president and secretary of the said board of trustees of the firemen's pension fund. It is hereby made the duty of the secretary to keep a full record of all the proceedings of the said board of trustees, and the board shall make all needful rules and regulations for its government in the discharge of its duties, and shall hear and determine all applications for relief or pensions under this act.
Record of proceedings.	
Trustees: to make all rules; to pass on applications.	

SECTION 4. That the county treasurers of the counties containing a city of the second grade of the first class shall semi-annually, at the time of their semi-annual settlement with the auditors of their respective counties, pay over to the treasurer of such cities one-half of the amount under his annual levy of all the taxes paid into the treasury of such county by insurance companies incorporated by the authority of any other state or government and doing business in any such cities, on the gross receipts of every such insurance company under and by virtue of the provisions of section 2745 of the Revised Statutes during the half-year preceding such semi-annual settlement, and the money so paid over to such city treasurer shall, together with the amount heretofore so paid, constitute a pension fund for the purposes and objects hereinafter set forth.

Foreign insurance companies: tax on to be applied to pension fund.

SECTION 5. In case any such insurance company shall fail to make return to the office of the auditor of the county in which the office or agency of such insurance company may be kept, in the month of May, annually, the amount of gross receipts of such agency for entry upon the tax list of the proper county, such auditor shall forthwith give notice of such failure to the superintendent of insurance, and said superintendent shall upon the receipt of such notice from said auditor, forthwith revoke and recall the license and authority to such insurance company to do or transact business within this state. And no renewal of authority shall be granted to such insurance company for three years after such revocation, and it shall be prohibited from transacting any business in this state until again duly licensed and authorized so to do, and the said return shall have been duly made. In each and every case of the failure of the said auditor to give such notice to said superintendent of insurance, such auditor shall forfeit and pay to said city, for the use and benefit of the said pension fund, the sum of one thousand dollars, such forfeiture to be recovered of said auditor in an action at law therefor, brought against him by any person, in the name of any such city, and before any court of competent jurisdiction.

Failure of such companies to make return of gross receipts: penalty.

Duty of county auditor: penalty for neglect.

SECTION 6. That it shall be the duty of the said auditor to make out and deliver to the said board of trustees, annually, on the first of July, in each and every year hereafter a correct statement of the name and the agent's name of every such insurance company so doing business in said city, together with the amount of the gross receipts of every such insurance company as returned by said agent or company to said auditor for the year previous to such first day of July. In case of the failure of said auditor to so make out and deliver to the said board of trustees any such annual statement at the time named in each and every year hereafter, such auditor shall forfeit and pay to said board of trustees for the use and benefit of the said pension fund, the sum of five hundred dollars. Said forfeiture to be sued for and recovered of such auditor in an action at law brought against him by any person, in the name of any such city, and before any court of competent jurisdiction.

Auditor to deliver to board statement of such gross receipts, etc.

Penalty for neglect.

Duty of treasurer as to statement of taxes, etc.

SECTION 7. That it shall be the duty of the treasurer of the said county to make out and deliver to the said board of trustees on the first days of January and July in each and every year hereafter, a statement of the name of every such insurance company doing business in the said city, together with the amount of the taxes paid into the treasury of such county by such insurance company for the year, or part thereof, prior to the making and delivery of such semi-annual statement of such treasurer to such board of trustees. And in case of the failure of said treasurer to so make out and deliver such semi-annual statement to the said board of trustees at the times named in each and every year hereafter, such treasurer shall forfeit and pay to said board of trustees for the use and benefit of said pension fund, the sum of five hundred dollars. Such forfeiture to be sued for and recovered against him in an action therefor, brought by any person, in the name of such city, before any court of competent jurisdiction.

Penalty for neglect.

Other revenues of fund.

Fines; gifts, etc.

SECTION 8. That the director, person or persons having control and charge of the fire service in said cities, may impose fines upon any member of the fire department in any such cities by way of discipline or punishment; detain and collect the same from the pay or salary of such member, and such fines, together with all rewards in money, fees, gifts and emoluments that may be paid or given specially to said pension fund on account of extraordinary services by said fire department, or any member thereof (except when allowed to be retained by such member, or given to endow a medal, or other permanent or competitive reward), and all proceeds of suits for penalties for the violation of any provision of any statute of this state or ordinances of said cities with the execution of which the said fire department or any of its officers or members is now or hereafter may be charged, and any license or other fees payable under the same, also all witness fees of every nature whatsoever, when the salary of any member of said fire department is not effected [affected] by his absence while serving as such witness, shall be paid to and received by the said city treasurer and applied by him to the said pension fund. And the said board of trustees may take by gift, grant, devise, or bequest, any money, real estate or personal property, right of property or other valuable thing and such money, real estate or personal property, right of property or other valuable thing so obtained, shall in like manner be paid to and applied by such city treasurer to the said pension fund, and also to the use of such fund by deposit, investment or profit as hereinafter provided, or as such board of trustees shall direct.

Penalties.

Fees.

Devises.

Members of fire department to be assessed within a certain limit.

SECTION 9. That every member or cadet employe of said fire department shall be assessed a portion of his salary, and such assessment shall not be less than one-half of one per centum or more than one per centum of his compensation, and all such assessments shall be applied to the pension fund, provided however that in no case shall the assessment of any one person exceed fifteen dollars per annum. The board of pension trustees shall have discretionary power to

Board to fix assessments.

fix the rate of assessment within the limits herein prescribed. The secretary of the fire department shall place opposite the name of every member of the fire department and cadet employe on the pay-roll the amount of the assessment on each individual's salary, and the city treasurer shall, monthly, deduct from the salary of every member of the said fire department and cadet employe the sum set opposite his name, and shall deposit the same to the credit of the pension fund.

Assessments
deducted from
pay.

SECTION 10. That the treasurer of every such city shall be the custodian of such pension fund, and for the faithful performance of his duties as herein provided, he shall be held under his official bond given to such city as now provided for by law.

City treasurer's
bond.

SECTION 11. That the said board of trustees shall draw such portion of said pension fund from the treasury of such city as it shall deem advisable, and invest the same in the name of the "board of trustees of the firemen's pension fund" in interest bearing bonds of the United States, the state of Ohio, or any county in this state, or of said cities, or of any township, incorporated village or other municipal corporation in the said state of Ohio, or without the state when the power to issue such bonds is derived from either general or special legislative authority. The president and secretary of such board, shall collect the interest on all bonds and place the same to the credit of the said fund. That the said bonds shall, before the same are issued to the said board of trustees, be registered in the office of the treasurer of the United States or state of Ohio, county, city, township, incorporated village or other municipal corporation in this state or other state issuing the same, and bear upon their face the printed or legibly written fact of such registry, together with the book and page and date and place of such registry. The said board of trustees shall make report to the council of the condition of said pension fund on the first day of January in each and every year.

Power to invest
said fund in
bonds.

Registering
said bonds.

Annual report.

SECTION 12. If any member or cadet employe of the said fire department of any such city, shall, while in the performance of his duty, become or be found upon examination by a medical officer ordered by the director, person or persons having charge and control of the fire department in such city, to be physically or mentally permanently disabled so as to render necessary his retirement from all service in the said fire department, such director, person or persons having charge of said fire service shall retire such permanently disabled person from all service in said fire department, and the board of trustees of the pension fund shall authorize the payment to such permanently disabled person, monthly, from the pension fund, the sum provided in section 14 of this act, according to compensation and term of service in said fire department. When any member of said fire department, or retired member on the pension fund thereof dies from any cause whatever and leaves a widow, child or children under 16 years of age, the board of trustees shall authorize the payment to such widow, while unmarried, and child or children under 16 years of age, monthly, from the pension fund, the

Beneficiaries of
such fund:
members
and cadet em-
ployes dis-
abled in per-
formance of
duty.

Parents,
widows and
minor children
of members
killed when on
duty, or dying
from disease,
etc.

Parents, widows, and minor children of members and cadet employees killed on duty after less than ten years' service.

Members and cadet employees permanently disabled when on duty after less than ten years' service.

Partial payments when bonds and cash in fund not sufficient to meet all demands.

Payments: how rated.

Of members and cadet employees: having served less than five years.

sum or sums provided in section 14 of this act, according to compensation and term of service of such deceased member in said fire department; or if any deceased member shall leave a dependent mother or father, upon satisfactory proof that such mother or father was dependent upon said deceased member of the fire department, the board of trustees shall authorize the payment to such dependent mother or father, monthly, from the pension fund, the sum provided in section 14 of this act according to compensation and term of service of such deceased member in said fire department; provided, however, that no pension shall be paid to the mother or father of a deceased member who leaves a dependent widow; and if the widow of any deceased member shall re-marry, her pension shall cease. If any member or cadet employee of such fire department who has been in the service of the department less than ten years, shall, while in the performance of his duty in said fire department, be killed or receive an injury that results in his death, if such killing or such fatal injury is clearly and conclusively proven, the board of trustees shall authorize the payment to the dependent widow, child or children under sixteen years of age, mother or father, monthly, from the pension fund the sum or sums as provided for dependents of deceased members between ten and twenty-five years in the service, in section 14 of this act. If any member or cadet employee of such fire department who has been in the service of the department less than ten years, shall, while in the performance of his duty in said fire department, become so crippled by an accident as to constitute a permanent total disability the director or person or persons in charge of the fire service, shall, upon clear and conclusive proof that said disability was caused by an accident received while in the actual performance of his duty, retire such permanently disabled member, and the board of pension trustees shall authorize the payment to such disabled member the sum as provided for permanently disabled members of the fire department in the service between ten and twenty-five years, in section 14 of this act.

SECTION 13. That if at any time there should not be sufficient money or bonds to the credit of said pension fund to pay to each person entitled to the benefit thereof the full amount per month as hereinbefore stated, then, and in that event an equal percentage of said monthly payments shall be made to each beneficiary thereof, until said fund is so replenished as to warrant payment in full to each of said beneficiaries.

SECTION 14. The sums to be paid to permanently disabled members and cadet employees and the widows and orphans, or dependent mothers or fathers of deceased members, shall be as follows: Those in the service of said fire department under five years, upon retirement, shall receive, monthly, an amount equal to one-eighth of the salary received by them at the time of their retirement, and in the event of their death while in the service of the department or after retirement, their widows, while unmarried, shall re-

ceive five dollars per month, and their children under sixteen years of age, three dollars per month each; those in the service of the paid fire department over five and under ten consecutive years shall, upon retirement, receive three-sixteenths of their salary, per month, and in the event of their decease while in the service of the department or after retirement their widows shall receive ten dollars per month and their children under sixteen years of age four dollars per month each; those in the service of the paid fire department over ten and under twenty-five consecutive years shall, upon retirement, receive ten-sixteenths of their salary, per month, and in the event of their decease while in the service of the fire department or after retirement their widows shall receive twenty dollars per month and their children under sixteen years of age six dollars per month each; those in the service of the paid fire department twenty-five consecutive years or over, shall, upon retirement receive eleven-sixteenths of their salary per month, and in the event of their decease while in the service of the department or after retirement their widows shall receive twenty-five dollars per month, and their children under sixteen years of age seven dollars per month. Any member of such paid fire department who has been in the service of said paid fire department twenty-five years, the last twelve years consecutively, upon making written application to the director, person or persons having charge of the fire service, at his own option, may without medical examination be retired from all service in said fire department, and upon such retirement the board of pension trustees shall authorize the payment to such retired member, monthly, from the pension fund, an amount equal to ten sixteenths of his salary at the time of retirement. Any member of such fire department who has been in the service of said paid fire department thirty years, the last twelve years consecutively, may, upon making written application to the director, person or persons in charge of the fire service in such city, retire at his own option without medical examination, and the board of pension trustees shall authorize the payment to such member so retired, monthly, from the pension fund a sum equal to eleven-sixteenths of his salary at the time of retirement. The pension of the dependents of such retired member shall be the same in case of death after retirement as provided for dependents who die in the service or after retirement, but the member so retired without special disability shall always receive the same amount of pension as when he retired. In no case shall the amount of any pension exceed seventy-five dollars per month, except the pensioner shall have been in the service of said fire department thirty years, the last twelve consecutively, and in that event they shall receive eighty dollars per month, when eleven-sixteenths of their salary equals that sum, but no more. The pension of the dependent mother or father of a deceased member who dies in the service of the fire department shall be the same, as that provided for his widow. That any member who may be discharged from the fire department

More than five
and less than
ten years.

More than ten
and less than
twenty-five
years.

Twenty five
years or more.

Retirement
after twenty-
five years' ser-
vice.

Retirement
after thirty
years' service.

Limitation of
pensions.

Pension of de-
pendent par-
ent.

Pension of member discharged after twenty-two years' service.

Board to be governed strictly by act.

Act to apply to present pensioners, except widows and children of deceased members.

Pension: how paid.

May be ordered to be reduced, or to cease; decision of board final.

Pensions not liable to attachment, execution, etc.

Repeal.

after having served not less than twenty-two consecutive years, shall be placed on the pension roll at six-sixteenths of his salary at the time of his discharge, provided such discharge is for any other offense than dishonesty, intoxication, or a criminal act, and in the event of the death of such member after retirement if he leaves a widow or dependents they shall receive the amounts provided for the dependents of those as in sections twelve and fourteen of this act. In no case shall the board of trustees depart from the provisions of this section in authorizing the payment of pensions.

SECTION 15. This act shall apply to all persons receiving pensions from the firemen's pension fund of such cities, who have been placed on such pension fund under any former law or laws, except widows or children of deceased members of such fire department, who shall receive the same as they were receiving at the time of the passage of this act. And in any application for pension now pending before the board of trustees, the board herein created may in its discretion place such dependents in the class of pensioners as provided in sections 12 and 14 of this act.

SECTION 16. That the payment of the said pension shall be made by drafts drawn by the order of said board of trustees, signed by the president and countersigned by the said secretary; but nothing in this act contained shall render any payment of such pension obligatory upon the said board of trustees or any member thereof or chargeable as a matter of legal right and the said board of trustees may at any time order such pension to be reduced or cease, and the decision of the board on all applications for relief or pensions shall be final and conclusive, and not subject to review or reversal except by such board.

SECTION 17. That no portion of the said pension fund shall, either before or after its order of distribution by the said board of trustees to such disabled member of said fire department or to the widow or guardian of child or children or to the dependent mother or father of a deceased or retired member of such department, be held, seized, taken, subjugated to, detained or levied on by virtue of any attachment, execution, injunction, writ, interlocutory or other order or decree, or any process or proceeding whatever issued out of or by any court in this state for the payment or satisfaction, in whole or in part, of any debt, damages, claim, demand, judgment, fine or amercement of such member, or his said widow, or the guardian of child or children, or of the dependent mother or father of any deceased member; but the said fund shall be sacredly held, kept, secured, promoted and distributed for the purpose of pensioning the persons named in this act and for no other purpose whatever. Provided the said board may expend annually not to exceed fifty dollars from such fund, for the necessary expenses connected therewith.

SECTION 18. That an act passed April 30th, 1886, creating such board of trustees and all acts or parts of acts inconsistent with this act be and the same are hereby repealed.

SECTION 19. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 18, 1890.
 188G

[Senate Bill No. 234.]

AN ACT

For the relief of Rachel Jane Wynn, widow of Louis T. Wynn, late lieutenant company E, 2nd regiment of infantry, Ohio national guard.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of the state of Ohio, be and he is hereby authorized and required to issue his warrant on the state treasurer to pay to Rachel Jane Wynn, widow of Louis T. Wynn, late second lieutenant of company E, second regiment infantry, Ohio national guard, the sum of six hundred dollars, which sum shall be in full liquidation and payment of said Rachel Jane Wynn, for loss sustained by her in the death of her husband, Louis T. Wynn, who died from disease contracted by him while on duty at Carthage, Ohio, under a call of the governor, in 1886.

For the relief
 of Rachel
 Jane Wynn.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS
President of the Senate.

Passed April 18, 1890.
 189G

[House Bill No. 192.]

AN ACT

To provide for the proper labeling of poisonous articles.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever any pharmacist, druggist or other dealer in poisons, chemicals, medicines and drugs, whether wholesale or retail, shall sell any drug or chemical, an indiscriminate or careless use of which would be destructive of human life, such dealer shall affix to each bottle or package of such drug, chemical or poison a label printed in red ink, having on it the name of the article by which it is commonly known, the cautionary emblem of the skull and cross-bones, the words "caution" and "poison," and in addition thereto, at least two of the most readily obtainable effective antidotes to such poisonous article.

Poisons: must
 be labeled by
 druggists, etc.

SECTION 2. Whoever violates the provisions of section one (1) of this act shall, upon conviction thereof before any

Penalty.

court having competent jurisdiction, be fined in any sum not exceeding one hundred (100) dollars, nor less than ten (10) dollars.

SECTION 3. This act shall take effect and be in force sixty days after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 21, 1890.

190G

[House Bill No. 223.]

AN ACT

An act to amend section 5334, of the Revised Statutes.

Entering judgment, etc.:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5334 of the Revised Statutes be so amended as to read as follows:

Record: what shall be included in.

Sec. 5334. The record shall be made up from the petition, the process, the return, pleadings subsequent thereto, reports, verdicts, orders, judgments, and all material acts and proceedings of the court; but if items of an account, or copies of papers attached to the pleadings, are voluminous, the court may order the record to be made by abbreviating the same or inserting a pertinent description thereof, or by omitting them entirely. The bill of exceptions shall be filed with the pleadings and papers, but not recorded, unless the court for good reasons shall so order; and evidence must not be recorded.

Bill of exceptions not to be recorded unless court so order.

Repeal.

SECTION 2. That said section 5334 is hereby repealed.

SECTION 3. This act shall take effect and be in force from the day of its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 21, 1890.

191G

[House Bill No. 240.]

AN ACT

To amend section 1530 of the Revised Statutes.

Officers of civil townships:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1530 of the Revised Statutes be amended so as to read as follows:

Compensation of trustees.

Sec. 1530. Each trustee shall be entitled to one dollar and fifty cents for each day's service in the discharge of his duties in relation to partition fences, to be paid in equal proportions by the parties; and one dollar and fifty cents for each

day's service in the business of the township, to be paid out of the township treasury; but in no year shall the compensation of any trustee exceed one hundred and fifty dollars, to be paid out of the treasury, including services in connection with the poor; and each trustee shall present an itemized statement of his account for per diem and service as aforesaid, and the same shall be filed with the clerk of the township, and by him preserved for inspection by any person interested; provided, that in any township of the state having a population at the last federal census, in 1880, and which at any subsequent federal census may have a population of 21,175, and not having a city infirmary therein, the compensation of any trustee of such township, at one dollar and fifty cents for each day's service, shall not exceed two hundred and fifty dollars in any one year, to be paid out of the treasury, including services in connection with the poor.

Itemized statement.

SECTION 2. That section 1530 of the Revised Statutes is hereby repealed; and this act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
192G

[House Bill No. 252.]

AN ACT

To amend sections 5788, 5789 and 5791 of the Revised Statutes of Ohio

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 5788, 5789 and 5791 of the Revised Statutes of Ohio, be so amended as to read as follows:

Real actions:

Sec. 5788. The court rendering judgment against the occupying claimant, in any case provided for by this subdivision, shall, at the request of either party, cause a journal entry thereof to be made; and the cause shall then proceed as in other civil cases.

Entry of claim against occupying claimant.

Sec. 5789. For the trial of the question of fact remaining undisposed of, a jury shall be impaneled and sworn as in other civil cases, and shall at once proceed to view the premises in question, and after viewing the same, shall return to the court house and then and there, in open court, the trial shall proceed as in other civil cases, and the rights of the parties shall be determined by the jury after hearing the testimony of the witnesses, which may be produced by either party, under the direction of the court; and from said view and the testimony, the jury shall ascertain and shall find in their verdict the reasonable value of all permanent and valuable improvements made on the land previous to the occupying claimant receiving actual notice of the adverse claim of the plaintiff, and also the damages if any the land has sustained by waste, including the value of timber or other valu-

Regular jury to perform all jury acts in conduct of case.

Duties of jury.

able material removed or destroyed, and the net annual value, rents and profits of the land accruing, after the occupying claimant received notice of the claim of plaintiff's title by service of summons; and the jury shall also find the value of the land at the time the judgment was rendered with the improvements thereon, and the value of the land without the improvements thereon, or damages sustained by waste, including removal or destruction of the timber or other valuable material, and shall return their verdict in open court as in other civil cases.

Setting verdict
aside.

Sec. 5791. If either party be aggrieved by any such assessment or valuation, he may apply to the court at any time during the term at which the trial was had, by a motion to set aside the verdict, assessment, and valuation, and the court may, upon good cause shown, set aside such assessment, valuation and verdict, order a new valuation and another jury to be drawn, which shall proceed in like manner, as hereinbefore directed; provided, that in all cases either party shall have the right to challenge jurors the same as in other civil actions; and provided further, that if more than three witnesses be examined by either party on the same point in the same case, the judge may tax the costs of such additional witnesses to the party calling them, and the provisions herein shall apply to all actions now pending as well as those hereafter to be brought.

Act to apply to
pending
actions.

Repeal.

SECTION 2. The said original sections 5788, 5789 and 5791, as amended, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 21, 1890.
193G

[House Bill No. 328.]

AN ACT

To amend an act entitled "an act to provide for the enclosure of abandoned burial grounds," passed February 22, 1889, session laws of Ohio, vol. 86, page 52.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "an act to provide for the enclosure of abandoned burial grounds," passed February 22, 1889, be amended to read as follows:

Abandoned
burial grounds
to be enclosed.

Sec. 1. That the county commissioners of each county shall within six months after the passage of this act, enclose with a substantial fence of stone, iron, or posts and boards all abandoned public burial grounds in the several counties, and from which the remains of the dead have not been removed. The expense of such enclosure shall be paid out of the general fund of such county, and it shall be the duty of the town-

snip trustees to keep any such fence built by the county commissioners as herein provided, in good repair.

SECTION 2. Said original act is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
194G

[House Bill No. 402.]

AN ACT

To supplement section 4488 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4488 of the Revised Statutes be supplemented with sectional numbering as follows:

County
ditches:

Sec. 4488a. If the commissioners in joint session find in favor of the proposed improvement, and are unable afterwards to agree as to the proportion of the costs of location and constructing the improvement, which shall be assessed in each of the counties, respectively, the board of commissioners of either county may petition the court of common pleas of their county for the appointment of three disinterested freeholders, not residents of either of said counties who shall within thirty days thereafter, after being duly sworn and upon actual view of said improvement, estimate and report to said court the amount which should be charged to the land in each county interested in said improvement respectively. The commissioners making the application shall be plaintiffs, and the commissioners of the other counties shall be defendants. The court wherein such petition is first filed shall have exclusive jurisdiction. Either of the parties may, within ten days after the filing of said report, file exceptions thereto, and the court shall confirm, modify or set aside said report and appoint other freeholders, as justice may require. Costs, including allowance to said freeholders shall be charged to the parties as the court may determine. After final determination the clerk of said court shall send a transcript of said proceedings duly certified to the commissioners of each county, who shall make the apportionment of costs of location and construction as in this chapter provided, giving to the property in each county the amount so determined in the court proceeding, including costs.

Joint county
ditches: com-
mon pleas
court to ap-
point disinter-
ested free-
holders to
apportion cost

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
195G

[House Bill No. 443.]

AN ACT

To amend section 3959 of the Revised Statutes of Ohio, as amended April 14, 1884 (81 O. L., 178).

School funds:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-nine hundred and fifty nine of the Revised Statutes of Ohio, as amended April 14, 1884, be and the same is hereby amended to read as follows:

Maximum of
levy in certain
cities, etc.

Sec. 3959. Such estimate and levy shall not exceed, in cities of the first grade of the first class, three and one-fourth mills; provided, however, that the boards of education in said cities may levy one mill additional for every five thousand pupils over and above twenty-five thousand enrolled in the public schools of said cities, which levy, however, shall in no case exceed four mills; and in all other districts, seven mills on each dollar of valuation of taxable property; provided, however, that in counties containing a city of the first grade of the first class, in districts outside such city, in which a high school is maintained, such estimate and levy shall not exceed eight mills on each dollar of valuation of taxable property.

Repeal.

SECTION 2. That said section 3959 of the Revised Statutes of Ohio, as amended April 14, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 21, 1890.
196G

[House Bill No. 474.]

AN ACT

To amend section (1) of an act entitled "an act to authorize the use of school-houses for literary entertainments, school exhibitions, singing schools and religious exercises," passed January 31, 1889 (O. L., vol. 86, p. 11).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That said section one of said above entitled act be amended so as to read as follows:

School-houses
may be used
by literary so-
cieties, singing-
schools, relig-
ious organiza-
tions, etc.

Sec. 1. That when in the judgment of any board of education it will be for the advantage of the children residing in any school district to hold literary societies, school exhibitions, singing-schools, or religious exercises, the board of education may upon the application of a majority of the sub-district directors, or a majority of the parents actually sending children to such school, authorize and require the opening of such school-houses by said sub-district directors for the purposes aforesaid.

SECTION 2. That said original section 1 of said above entitled act is hereby repealed; and this act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 197G

[House Bill No. 524.]

AN ACT

To make ineligible members of either branch of the general assembly to be trustees of any benevolent, educational, penal, or reformatory institution of the state.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That no member of either branch of the general assembly shall hereafter be appointed as trustee of any benevolent, educational, penal or reformatory institution of the state, supported in whole or in part by funds drawn from the state treasury. And any trustee of said benevolent, educational, penal, or reformatory institution, or any member of the state board of agriculture, who hereafter accepts a certificate of election to either branch of the general assembly, shall forthwith send his resignation of such office of trustee or member of such board to the proper authority, and in case of his neglect or refusal to do so the office shall be deemed vacated. But the provisions of this act shall not apply to trustees of any of the aforesaid institutions appointed previous to the passage of this act.

Members general assembly ineligible to be appointed trustees certain institutions, etc.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 198G

[House Bill No. 590.]

AN ACT

To amend sections 3826a and 3826b of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 3826a and 3826b of the Revised Statutes of Ohio be and the same are hereby amended so as to read as follows:

Powers of certain corporations:

Sec. 3826a. Where avenue companies have been or may hereafter be organized, and have constructed and operated, or may hereafter construct and operate an avenue or avenues in

Power to condemn avenues belonging to avenue companies:

lies within
corporate lim-
its.

a county containing a city of the first grade of the first class, the board of public improvements of such city of the first grade of the first class, may, by resolution, declare it essential or necessary to the interests of said city that so much of any such avenue as may be within the corporate limits of the city should belong to the city for the purpose of a public street; and thereupon if the company owning such avenue and the board of public improvements of the city are unable to agree upon the amount of compensation to be paid for so much of said avenue as lies within the city, the board of public improvements of such city and the company owning such avenue may submit the question of the amount to be paid for so much of such avenue as lies within the limits of such city to arbitration in the following manner, to-wit: The board of public improvements of such city to select one disinterested person, the company owning such avenue to select another disinterested person, and these two [to] select the third disinterested person to act as arbitrators and all such arbitrators shall be resident freeholders of such city; and the amount agreed upon by all these three arbitrators shall be binding on both such city and such company; and in case the arbitrator appointed by the board of public improvements of such city and the arbitrator appointed by such company cannot agree upon a third arbitrator, or all three of such arbitrators fail to agree on the amount to be paid for so much of such avenue as lies within the city limits, or in case the board of public improvements of such city, or the company owning such avenue refuse to submit to arbitration the question of the amount to be paid for such part of such avenue as lies within the limits of such city, then the board of public improvements of such city may proceed to condemn and appropriate so much of such avenue as lies within the city limits, for public purposes, in the same manner in which other property is condemned and appropriated by municipal corporations, except that the resolution of such board of public improvements deeming it necessary to condemn shall take the place and stand in lieu of the resolution of council required by sections 2234, 2235 and 2236, Revised Statutes of Ohio.

Issue and sale
of bonds.

Sec. 3826b. When the amount of compensation to be paid for such avenue appropriated under the preceding section shall have been ascertained either by agreement of the parties, by decision of the arbitrators or by the verdict of a jury in the proceedings instituted for the purpose, a fund shall be provided for the payment of such compensation together with the costs and expenses of such proceedings as may have been had, by issuing the bonds of such city for the amount thus ascertained; and it shall be the duty of the board of public improvements of such city to issue said bonds. Said bonds shall be made payable at such time and shall bear interest at such rate not to exceed four (4) per centum per annum as said board of public improvements shall determine; said bonds shall be signed by the president of the board of public improvements and the mayor of such city, and be attested by the comptroller of such city, and shall be secured by a pledge of the faith of such city and a tax, which it shall be the duty

of the council of such city annually to levy upon the taxable property of such city, and certify the same to the county auditor, upon a certificate to that effect from the trustees of the sinking fund of such city, as to the amount necessary to pay the interest thereon and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes. Said bonds shall be sold to the highest bidder by said board of public improvements at not less than their par value, after advertising the same for not less than four consecutive weeks, on the same day of the week, in some newspaper of general circulation in such city.

SECTION 2. That sections 3826a and 3826b of the Revised Statutes of Ohio, as enacted April 12, 1888, be and the same are hereby repealed. Repeal.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WM. V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
199G

[House Bill No. 646.]

AN ACT

To amend section 3784 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3784 of the Revised Statutes be amended so as to read as follows: Religious and other societies:

Sec. 3784. When a presbytery, synod, conference, diocesan convention, or other representative body of any religious denomination in this state, or when an assembly, synod, conference, convention or other general ecclesiastical body of any religious denomination held in the United States, desires to create a board of trustees for any endowment fund, or other property of the denomination represented by such body, and, at any regular meeting of such presbytery, synod, conference, diocesan convention, or other representative body of such denomination, in this state, or of such assembly, synod, conference, convention or other general ecclesiastical body in the United States, elect [s] not less than five members of such denomination, three-fifths of whom shall be resident freeholders in this state, to serve as trustees, and makes and files in the office of the secretary of state a statement, giving the names of such trustees, the character of the endowment fund or other property to be intrusted to their care, and the uses to which it is to be applied, signed by the proper presiding officer and the secretary or clerk of such body, acknowledged before a clerk of a court of record, notary public, or a judicial officer having a seal, and the signing of the same is duly attested by such officer, and the statement thus authenticated is Endowment fund corporations.

recorded in the office of the secretary of state, the persons named in such statement as trustees shall, thereupon, with their successors in office, become a body corporate and politic, for the purpose in such statement specified; and a copy of such record, duly certified by the secretary of state, shall be evidence of the existence of such corporation.

SECTION 2. That section 3784 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
200G

[House Bill No. 699.]

AN ACT.

To authorize cities of the first grade of the second class to issue bonds to pay for the building of bridges across railway tracks that cross public thoroughfares in such cities.

Certain cities
authorized to
issue bonds for
bridges over
railroad tracks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the councils of cities of the first grade of the second class, in order to raise money to pay for the building of bridges across railway tracks that cross public thoroughfares in said cities, be and they are hereby authorized to issue the bonds of such cities from time to time in such sums as said councils may deem proper, but not exceeding in the aggregate fifty thousand dollars. Said bonds shall be of the denominations of one thousand dollars each, shall run for such time as said councils determine, but not exceeding thirty years; shall bear interest at a rate not to exceed six per centum per annum, said interest to be paid annually or semi-annually, as said councils determine; and said bonds shall be issued and sold according to the provisions of the statute for the issuing and sale of other bonds of said cities.

Tax to be
levied.

SECTION 2. For the purpose of paying the principal of said bonds, and the interest thereon as it accrues, said councils are hereby authorized to levy annually upon all the taxable property of said cities, a tax sufficient in rate and amount to pay said interest, and to provide a sinking fund to pay said principal at maturity; and said tax may be additional in rate and amount to the taxes levied by said cities for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
201G

[House Bill No. 757.]

AN ACT

To authorize cities of the first grade of the second class to issue bonds to raise money to pay for the construction of main trunk sewers, and to levy a tax to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the councils of cities of the first grade of the second class be and they are hereby authorized to issue the bonds of such cities, to raise money to pay for the construction of main trunk sewers, in such sums as said councils determine, but not to exceed in the aggregate fifteen thousand dollars. Said bonds shall be issued in denominations of one thousand dollars each; shall run for such time as said councils determine, not exceeding thirty years; shall bear interest at such rate as said councils determine, not exceeding six per centum per annum, said interest to be paid annually, or semi-annually, as said councils determine, and said bonds shall be issued and sold according to the provisions of the statutes regulating the issue and sale of other bonds of said cities.

Certain cities authorized to issue bonds for main trunk sewers.

SECTION 2. To pay the principal of said bonds and the interest thereon as it accrues, said councils are hereby authorized to levy annually, upon all the taxable property of said cities a tax sufficient in rate and amount to pay said interest and to provide a sinking fund to pay said principal at maturity, and said tax may be additional in rate and amount to the taxes levied by said cities for any and all other purposes.

Tax to be levied.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.

202G

[House Bill No. 815.]

AN ACT

To amend and supplement an act entitled "an act to incorporate the Hamilton, Springfield and Carthage turnpike company," passed February 24th, 1834, and amended March 10th, 1838, and March 16th, 1839.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to an act entitled "an act to incorporate the Hamilton, Springfield and Carthage turnpike company," passed February 24th, 1834, and amended March 10th, 1838, and March 16th, 1839.

Hamilton, Springfield and Carthage turnpike company:

SECTION 2. That the Hamilton, Springfield and Carthage turnpike company is hereby authorized to abandon all of that part of its turnpike road as lies south of where the Lockland road in Hamilton county crosses said Hamilton,

Authorized to abandon part of a road.

Springfield and Carthage turnpike road, being a distance of two (2) miles, more or less, and said turnpike company is hereby granted the right and privilege to erect and maintain a toll-gate at or near a point where the said Lockland road crosses its turnpike road.

SECTION 3. All acts or parts of acts in conflict with the above so far as they apply to this act are hereby repealed and this act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
203G

[House Bill No. 318.]

AN ACT

To amend section 2504 of the Revised Statutes of Ohio.

Railways in
corporate
limits:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two thousand five hundred and four (2504) be amended to read as follows:

Pavement of
streets where
railroads are
constructed.

Sec. 2504. The council may require any part or all of the track, between the rails of any street railroad constructed within the corporate limits, to be paved with stone, gravel, boulders or the Nicholson or other wooden or asphaltic pavement, as may be deemed proper, but without the corporate limits, paving between the rails with stone, boulders, or the Nicholson or other wooden or asphaltic pavement shall not be required; provided, that in cities of the second grade of the first class, the council may require of any street railroad company to pave and keep in constant repair, sixteen feet for a double track or seven feet for a single track, all of which pavement shall be of the same material as the balance of the street is paved with.

Cities second
grade, first
class.

Repeal.

SECTION 2. Section two thousand five hundred and four (2504) is hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
204G

[House Bill No. 821.]

AN ACT

To amend section 8 of an act entitled "an act relating to the duties and compensation of certain county officers and their assistants, in counties containing a city of the second grade of the first class."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 8 of an act entitled "an act relating to the duties and compensation of certain county officers and their assistants in counties containing a city of the second grade of the first class," be amended so as to read as follows:

Fees, salaries, etc.:

Sec. 8. It shall be the duty of the county commissioners to see that the provisions of this act are faithfully complied with, and they may employ a suitable person or persons whenever and for such time as they may deem necessary, and at such compensation as they deem judicious, to ascertain by examination whether the accounts of the officers mentioned in section one are correctly and legally kept, and whether the statements they are required by this act to make to the commissioners are correct; and such persons shall report to the commissioners the result of such examination, which report they shall preserve in their office. If it appear by any such report that any such account or any such statement is false or fraudulent in any respect, they shall make a thorough examination of the matter, and may, if they deem it necessary or expedient, subpoena witnesses, and examine them under oath, and they shall have the same power as justices of the peace to compel the attendance of witnesses. The costs of any such investigation shall be paid from the general fund of the county on the warrant of the county auditor, when duly certified to him by the county commissioners herein. And the county commissioners shall also have power to extend, at their discretion, for thirty days the time for the payment of taxes.

County commissioners: must see to enforcement; may appoint person to examine accounts.

May extend time for payment taxes.

SECTION 2. Said original section 8 of said act is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
205G

[House Bill No. 827.]

AN ACT

To authorize the trustees of any township of any county in the state of Ohio, having at the last federal census a population of 20,776, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any township of any county within the state, having at the last federal census a population of 20,776 be and they are hereby authorized to transfer the

Certain townships authorized to transfer funds.

sum of \$125, from the poor fund to the general township fund of such township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
206G

[House Bill No. 56.]

AN ACT

To amend section 3 of an act entitled "an act to provide against the adulteration of food and drugs," passed March 20, 1884.

Adulteration
of food and
drugs:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of an act entitled "an act to provide against the adulteration of food and drugs," passed March 20, 1884, be so amended as to read as follows:

Sec. 3. An article shall be deemed to be adulterated within the meaning of this act:

When drugs
deemed
adulterated.

(a) In the case of drugs: (1) If, when sold under or by a name recognized in the United States Pharmacopœia, it differs from the standard of strength, quality or purity laid down therein; (2) If, when sold under or by a name not recognized in the United States Pharmacopœia but which is found in some other pharmacopœia, or other standard work on materia medica, it differs materially from the standard of strength, quality, or purity laid down in such work; (3) If its strength, quality or purity falls below the professed standard under which it is sold.

When food
deemed
adulterated.

(b) In the case of food: (1) If any substance or substances have been mixed with it, so as to lower or depreciate, or injuriously affect its quality, strength or purity; (2) If any inferior or cheaper substance or substances have been substituted wholly or in part for it; (3) If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; (4) If it is an imitation of, or is sold under the name of another article; (5) If it consists wholly, or in part, of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not—or, in the case of milk, if it is the produce of a diseased animal; (6) If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; (7) If it contains any added substance or ingredient which is poisonous or injurious to health; provided, that the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale be distinctly labeled as mixtures or compounds, with the name and per cent. of each ingredient therein, and are not injurious to health.

SECTION 2. That said section 3 of said original act passed March 20, 1884, be and the same is hereby repealed; and this act shall take effect September, 1890.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
 206½G

[House Bill No. 360.]

AN ACT

To define the powers of trustees of natural gas plants in certain cities and villages.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cases where any municipal corporation in this state is the owner of a natural gas plant by which the citizens of said municipal corporation are supplied with natural gas, and such natural gas is so supplied through pipes from a point beyond the limits of such corporation, which pipes pass through the limits of an incorporated village, the trustees of any such natural gas plant are hereby authorized to sell natural gas to such village, or to a company, for the use of such village, and the citizens thereof, such gas to be delivered at a reducing station to be located within one hundred feet of the main pipe line.

Trustees of
 natural gas
 plants:

May sell to
 village, etc.

Delivery of gas
 in village.

SECTION 2. That whenever a municipal corporation is the owner of a natural gas plant to supply the citizens thereof with natural gas for fuel, the council of such municipal corporation, together with the natural gas trustees, may provide for supplying natural gas at rates to be determined by said board of trustees, to persons living outside of and in the vicinity of such municipal corporation, and to county infirmaries, children's homes and other public institutions within or without such municipal corporations; and to encourage the location or establishment of manufacturing industries within such municipal corporation may reduce the price of gas to be used to operate such manufacturing, or donate the same for a term of years for said purpose; provided, that this section shall be inoperative if such gas so to be furnished for such purpose shall deprive the municipal corporation or the citizens thereof of the full supply of such gas.

Delivery of gas
 outside of vil-
 lage: how
 allowed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
 207G

[House Bill No. 536.]

AN ACT

To amend section 695 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 695 of the Revised Statutes of Ohio be amended to read as follows, viz.:

Salaries of
officers and
employees of
O. S. and S. O.
home.

Sec. 695. The superintendent shall receive as compensation for his said services, the sum of twelve hundred dollars a year; the clerk, five hundred dollars a year; the matron, four hundred dollars a year; the physician, who shall be required to reside at the institution, and to devote his whole time to the professional care of its inmates, twelve hundred dollars a year; the matrons of cottages, thirty dollars per month; superintendent of instruction, nine hundred dollars a year; school teachers, thirty dollars per month; seamstresses, fourteen dollars per month; tailoresses, twenty dollars per month; said salaries shall be paid by the superintendent in monthly installments, and receipts taken, and the several amounts carried into the monthly accounts of the superintendent.

Repeal.

SECTION 2. Section 695, of the Revised Statutes of Ohio is hereby repealed.

SECTION 3. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
208G

[House Bill No. 751.]

AN ACT

To authorize certain cities herein designated to issue bonds for the purpose of making public improvements.

Certain cities
authorized to
issue bonds for
public im-
provements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city of the fourth grade of the second class, situated wholly in any county which at the last federal census had a population not less than forty thousand four hundred and ninety, nor greater than forty thousand five hundred, or which at any future federal census may have such population, be and the same is hereby authorized and empowered to issue the bonds of such city in any sum not exceeding one hundred thousand dollars, in denominations not exceeding one thousand dollars each, bearing interest not exceeding six per cent. per annum, payable semi-annually, and payable at any time not exceeding twenty-five years from the date of their issue, as the council of said city may determine. Said bonds shall be sold at not less than their par value, and in all respects not herein provided for, in accordance with the provisions of section 2709 of the

Revised Statutes of Ohio. Said bonds shall be designated, "city improvement bonds."

SECTION 2. The proceeds arising from the sale of said bonds or any portion of them, shall be expended in extending the limits of said city, opening, extending or improving streets, extending or procuring pipe lines for natural gas or water within said city, and for such other public uses and purposes as the said city council and board of control herein-after provided for may determine to be for the welfare and development of any such city.

Proceeds of
sale of bonds;
how expended.

SECTION 3. Before such bonds or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of such city at a special election, to be held at the usual places of voting in said city, and at such time as the council may determine. The tickets to be voted at such election shall have written or printed thereon the words, "For improvement bonds—Yes," or "For improvement bonds—No." If the proposition to issue bonds be approved by two-thirds or more of those voting thereon at such election, then said council, with the consent and approval of said board of control, may issue and sell said bonds for the purposes named, and as provided in this act. Notice of such special election shall be published in at least two newspapers published or circulating in said city, for not less than ten days prior to such election, which shall in all respects not herein provided for, be managed and conducted as other municipal elections are, or may be required by law to be managed and conducted in any such city.

Question of
issue to be sub-
mitted to vote.

SECTION 4. When the council of any such city referred to in section one of this act, shall desire to issue said bonds, a written statement of said desire from said council shall be presented to the probate judge of the county in which such city is situated, who shall appoint a "board of control" for said city, which shall consist of four electors of said city, being freeholders therein, not more than two of whom shall belong to the same political party. Said "board of control" shall serve without compensation and for such time as may be necessary to dispose of the proceeds of the sale of said bonds and completing the improvements mentioned in section two of this act. All vacancies in said board shall be filled by appointment by said probate judge. The said city council shall not call said election nor issue and sell said bonds until said board of control shall consent to the same. And no expenditure of the money arising from the sale of said bonds shall be made, or any contract be entered into for any of the improvements mentioned in this act, by said city council, except with the consent and approval of said board of control.

Board of con-
trol to be
appointed.

SECTION 5. To pay the principal and interest of any of said bonds as the same shall become due, said city council is hereby authorized and empowered to levy a sufficient tax on all the taxable property of said city in addition to all other taxes authorized by law. Said taxes shall be levied and collected as other taxes in said city.

Tax to be
levied.

SECTION 6. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
 209G

[House Bill No. 849]

AN ACT

Supplementary to "an act authorizing county commissioners and city councils to aid and encourage industrial schools and children's homes for the benefit of neglected and destitute children," passed and took effect February 11th, 1869.

County commissioners authorized to aid incorporated children's homes in certain counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any county in this state where there now is an incorporated children's home whose object is the care, aid, and education of neglected or destitute children, and where the county commissioners of any such county have aided such children's home to purchase land or erect buildings, either by subscription with others to raise a fund for that purpose or by direct aid or donation, or otherwise, in any amount not exceeding six thousand dollars, such commissioners are hereby authorized and empowered to contribute such additional sum to complete such purchase of land and the erection of buildings not exceeding the sum of twenty-five hundred dollars, provided that in case such children's home shall cease to exist so that such property so purchased shall cease to be used for the purpose of such children's home by such corporation such county shall have a lien upon such property so purchased for the amount of money contributed for its purchase and if such corporation shall fail or be unable from any cause to maintain, manage and control such home so as to subserve the purpose of a children's home for which the same was incorporated then such commissioners may enforce such lien or if they so prefer and desire they are hereby authorized and empowered to organize such home into a county children's home, under the general laws of the state of Ohio, and the title to such property, where the county has contributed the whole amount of the purchase money shall vest in and be the property of such county.

Amount of contribution limited.

SECTION 2. Where such commissioners have contributed the whole amount of said purchase money, they are hereby authorized to contribute an amount not exceeding five hundred dollars for the purpose of improving and repairing such house.

Monthly reports.

SECTION 3. The board of managers shall make a monthly report on the first Monday of each month of the condition of said institution, its receipts and expenditures during the preceding month, the number of children received and discharged and the general condition of the institution.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
 210G

[House Bill No. 856.]

AN ACT

To amend an act entitled "an act to authorize certain cities of the fourth grade, second class, to purchase lands and erect buildings thereon, and to issue bonds therefor," passed April 11th, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled, "an act to authorize certain cities of the fourth grade, second class, to purchase lands and erect buildings thereon, and to issue bonds therefor," be amended to read as follows: That the council of any city of the fourth grade, second class, which by the last federal census of 1880 had, and which by any subsequent federal census may have a population of not less than five thousand, six hundred and thirty-five (5635), nor more than five thousand six hundred and forty (5640), is hereby authorized to contract for and purchase land, and erect buildings thereon, and for that purpose to issue bonds to the amount of one hundred thousand dollars (\$100,000 00) in such denominations, in such amounts at any time, and payable at such times as the city council shall by resolution determine. Such bonds shall be signed by the mayor, countersigned by the city clerk and attested by the seal of such city, and shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually from the date thereof.

Certain cities authorized to issue bonds for purchase of land and erection of buildings.

SECTION 2. That the council of any such city may negotiate such bonds for cash, or it may deliver the same in payment for such real estate, or for the construction of any building or buildings, but in no case shall such bonds be disposed of at less than the par value thereof, and no contract shall be awarded until there has been a satisfactory contract entered into, between said contractor and city council, as the city council may provide by resolution, conditioned that such contractor shall fully perform all obligations imposed upon him by such contract.

Bonds: how negotiated, etc.

SECTION 3. That said city council is hereby authorized to lease real estate and buildings, if there be any, for such terms and on such conditions and reservations as may by it be determined by resolution; or such city council may sell and convey such real estate and buildings that may be contracted for to be built, for such consideration and upon such terms, conditions and reservations, and to such persons, as may by it be determined by resolution.

City council authorized to lease or sell real estate and buildings.

SECTION 4. That the powers herein conferred shall be in no case exercised, in whole or in part, by the council of any

Question of issue to be submitted to vote.

such city until thereto authorized by a vote of the qualified electors of such city, taken at a general or special election held therein; that for the purpose of submitting such proposition to a vote of such electors, the clerk of such city, for that purpose, shall give notice of the time of holding such election, which shall be published in all the newspapers published in such city at least ten days prior to the day of holding such election; such election shall be held at the usual places of holding elections, and by the officers authorized to preside at elections in such city. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of such city, who with the mayor of such city, shall, at any regular or special meeting of the city council, and in the presence of a quorum of such council, proceed to canvass such vote, and the city clerk shall enter the number of votes cast for such proposition, and the number of votes against such proposition in such city, and if it shall appear by the returns of such election that a majority of all the electors voting at such election have voted in favor of such proposition, such city council shall be authorized to exercise the powers conferred by this act, and if a majority of such electors voting at such election shall not have voted in favor of such proposition, such council shall not exercise the powers conferred by this act. The ballots voted at such election shall have written or printed thereon the words, "For the issue of bonds—Yes;" and those against, "For the issue of bonds—No."

Resolution of
city council to
be recorded.

SECTION 5. That the resolution of such city council herein provided for shall forthwith be entered by the city clerk upon the ordinance book of such city, and shall take effect after its legal publication.

Contracts, etc.,
to be signed by
the mayor and
countersigned
by the clerk.

SECTION 6. That all contracts or conveyances authorized by this act shall, upon the part of such city, be signed by the mayor, countersigned by the clerk, and attested by the seal of such city; and the city council is hereby authorized to levy such tax, in addition to the rate now authorized by law, upon the taxable property of such city, each year thereafter, as may be necessary to pay the interest on such bonds as the same may become due, and to provide a sinking fund to pay the principal of such bonds at maturity.

Levy of tax.

SECTION 7. Said original act passed April 11th, 1880, is hereby repealed.

Repeal.

SECTION 8. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
211G

[House Bill No. 868.]

AN ACT

To authorize the council of any village of the state of Ohio, that had at the last federal census or that may have at any future federal census a population of fifteen hundred and sixty to issue bonds for the purpose of improving street[s] and sewers, repairing and constructing sidewalks, to erect or purchase an electric light plant and for the purpose of providing such village with a system of water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village of the state of Ohio, that had at the last federal census or that may have at any future federal census, a population of fifteen hundred and sixty, be and is hereby authorized to issue bonds not exceeding in amount the sum of five thousand (\$5,000.00) dollars for the purpose of constructing or repairing sewers for such village.

Certain villages authorized to issue bonds:

For sewer purposes.

SECTION 2. That the council of such village be and is hereby authorized to issue bonds not exceeding in amount five thousand (\$5,000.00) dollars, for the purpose of constructing, improving and repairing the streets and sidewalks in such village.

For street improvement purposes.

SECTION 3. That the council of such village be and is hereby authorized and empowered to erect or purchase an electric light plant, for the purpose of lighting the corporation and for that purpose the council of such village is hereby authorized to purchase engines, boilers, dynamos, wires, poles and all appurtenances thereto belonging, and all materials necessary for the successful operation of the same at a total cost or sum not to exceed the sum of ten thousand (\$10,000) dollars.

For purchase or erection of electric light plant.

SECTION 4. That the council of such village be and is hereby authorized and empowered to issue the bonds of such village, in any sum actually needed for the purpose, but in no case exceeding fifteen thousand (\$15,000) dollars for the purpose of buying or leasing the necessary land and water right and material and constructing thereon and therewith a system of water-works, and for no other purpose whatever.

For establishment of water-works system.

SECTION 5. For the purposes mentioned in the four preceding sections of this act the council of any such village be and is hereby authorized to issue its bonds in any sum actually needed for all or any of the purposes named in said sections, but in no case exceeding in amount the sums named in said sections for each particular purpose therein named; all bonds issued under any section of this act shall bear a rate of interest not exceeding six per cent. per annum from date of issue, the principal of all such bonds and the interest thereon shall be payable at such times and places as the council of any such village may by ordinance determine, not exceeding forty years from date, and all such bonds of such village shall be of such denominations not less than one hundred (\$100.00) dollars each, as the council of such village may by ordinance determine; the interest thereon shall be payable semi-annually, and all bonds so issued as provided under any section of this act shall be signed by the mayor of such village, and

Bonds: how issued; interest; time; denomination, etc.

attested by its clerk, and no bonds shall be sold for less than their par value in cash. All bonds issued under section one (1) of this act shall be styled "sewer bonds;" all bonds issued under section two (2) of this act shall be styled "street and sidewalk improvement bonds;" all bonds issued under section three (3) of this act shall be styled "electric light plant bonds" and all bonds issued under section four (4) of this act shall be styled "water-works bonds." All such bonds shall be attested by the seal of such village and when sold the proceeds shall be paid to the treasurer of such village, who shall hold and disburse the same as other village funds are by him held and disbursed. No bonds issued under any section of this act shall be used for any other purpose than that named in the section under which any such bonds are issued.

Tax to be
levied, etc.

SECTION 6. If any bonds of such village be issued as provided hereinbefore in any of the preceding sections of this act, it shall be the duty of the council of such village annually thereafter and until such bonds and the interest thereon is [are] fully paid, to assess and levy a tax on all the taxable property of such village sufficient to provide for the payment of such bonds as they fall due with interest thereon accruing, and all earnings of such water-works mentioned in section four (4) of this act and all earnings of said electric light plant mentioned in section three (3) of this act, after deducting current expenses, shall be paid into the sinking fund and used for the purpose of extinguishing the indebtedness caused by the establishment of said electric light plant, or water works, as the case may be.

Question of
same to be
submitted to
vote.

SECTION 7. Provided, that before any of the bonds described in section five (5) of this act are issued, the council of such village shall submit the propositions set forth in the four sections preceding the last two preceding sections of this act, to the electors of such village at a special election to be held for such purpose, at such time as the council of such village shall determine by resolution, notice of which shall be given of the time and place of holding such election, and the amount of bonds to be issued for the purposes mentioned in the four first sections of this act at least ten days prior to the time of holding such election, in a newspaper of general circulation in such village, and the form of the ballot shall be as follows: Those in favor of the issuance of bonds for sewer purposes as mentioned in section (1) of this act and levying tax for such purpose shall have written or printed on their ballots the words: "Sewer bonds—Yes" and all voters desiring to vote against issuing said bonds and levying said tax, shall have written or printed on their ballots the words "Sewer bonds—No." In like manner those in favor of issuing bonds and levying tax for the purpose of constructing sidewalks and improving streets as hereinbefore provided for in section two (2) preceding, and in favor of issuing bonds for the purpose of erecting or purchasing an electric light plant or of constructing a water-works as provided for in sections three (3) and four (4) preceding respectively, shall have written or printed on the same ballot on which sewer bonds are voted on the words: "Street and sidewalk improvement bonds—

Yes," "Electric light plant bonds—Yes," "Water-works bonds—Yes." Those opposed to the issuing of any of said bonds either for constructing or improving streets and sidewalks, or to the purchase or erection of an electric light plant, or to the construction of water-works, shall have written or printed on their ballots the words: "Street and sidewalk improvement bonds—No," "Electric light plant bonds—No," "Water-works bonds—No." The election shall be held in accordance with the election laws of the state, and the vote shall be canvassed and the result declared in the same manner and by the same authorities as results of elections are declared in other cases, and the result when so declared shall be entered upon the minutes of the council of such village and if it shall appear that a majority of the ballots cast at such election were in favor of issuing bonds for all or any of the purposes mentioned in this section as indicated by the words so written or printed on such ballots, then the council of such village shall proceed to issue such bonds as are authorized by a majority of such ballots so cast on each particular description of bonds herein set forth, and such council of such village shall issue any or all of the bonds described in this section, according as the majority of such ballots cast on each description of bonds herein mentioned shall dictate and not otherwise; provided, however, before issuing any of the bonds mentioned in this act or contracting any liabilities whatever, the council of such village shall fix by ordinance, how and where sewers shall be constructed or repaired, what streets or sidewalks shall be improved or constructed, on what streets electric lights shall be erected, on what streets water pipes shall be laid, giving dimensions and kind of pipe to be used, the number of fire plugs, and distance from each other, the height to which the water is to be raised, which shall be of sufficient height to conduct water to any part of such village, the number of miles of pipe to be laid and such other matters as may be necessary to have a complete and sufficient system of water-works; but nothing herein contained shall be construed to prevent the council of such village from issuing any of the bonds which may be authorized by a majority of the ballots cast at such election, after such council of such village has provided by ordinance for the issuance of any such bonds as are mentioned in this act, in accordance with such requirements of this section as are applicable to each particular description of bonds. After the passage and publication of such ordinance in compliance with the terms and requirements of this section and as prescribed by law, the council of such village shall advertise for sealed proposals in accordance with the provisions of said ordinance and which may be for a part or the whole of the labor and materials to be furnished as the council of such village in its discretion may deem best, and if it is ascertained upon opening of said bids, that any of the improvements mentioned in said ordinance and authorized by the provisions of this act, can be constructed or improved as the case may be and made complete in every respect, and that good and responsible parties will enter into the contract with good and sufficient

Council to provide by ordinance for improvements before bonds issued.

Sealed proposals.

Granting of
contract,

Private com-
panies may
build and own
electric light
plant and
water-works.

Bonds; tax.

bond that they will make said improvements or construct such water-works, or electric light plant, as the case may be, in accordance with said ordinance and the provisions of this act, such council of such village may accept such proposal as in their judgment is most reasonable, economical and satisfactory and enter into a contract for such purpose and issue bonds as herein provided and not otherwise. Such council of such village may at the same time advertise for proposals of private companies who may build and own an electric light plant, or build and own water-works in accordance with the provisions of said ordinance to supply such village and the citizens thereof with electric light or water-works, or both, for all purposes public and private and if it is ascertained that it would be for the interest of such village to contract with any private company for either or both of the purposes herein last named, for any period not exceeding twenty years, for the supply of electric light or water or both as aforesaid, then the council of such village shall have the power to enter into a contract with such private company, and to issue such amount of bonds and to levy such annual tax as may be necessary to pay for such annual supply not exceeding one thousand (\$1,000.00) dollars per year, in the case of electric light companies nor two thousand (\$2,000.00) dollars per year, in the case of water-works companies as the case may be.

SECTION 8. This act shall take effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
212G

[House Bill No. 302.]

AN ACT

To amend section 3692 of the Revised Statutes.

Agricultural
corporations:

Annual meet-
ing of state
board of agri-
culture.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3692 of the Revised Statutes of Ohio be amended so as to read as follows:

Sec. 3692. There shall be held in the city of Columbus, on the first Thursday after the second Monday in January, an annual meeting of the Ohio state board of agriculture, together with the president of each county agricultural society, or their delegate therefrom duly authorized, who shall, for the time being, be ex-officio members of the state board of agriculture, for the purpose of deliberation and consultation as to the wants, prospects, and condition of agriculture throughout the state; and at such meeting, the several reports from the county societies shall be delivered to the president of the state board of agriculture, and the president and delegates shall at this meeting elect five members to the state board of agriculture, whose term of office shall be two years, and until their successors are elected.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.
 212½G

[House Bill No. 345.]

AN ACT

To authorize any city of the fourth grade of the second class, which at the last federal census had or which at any subsequent federal census may have a population of not less than eight thousand four hundred and fifty (8450) nor more than eight thousand four hundred and seventy (8470) to issue bonds for street improvement purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the fourth grade of the second class, which at the last federal census had or which at any subsequent federal census may have a population of not less than eight thousand four hundred and fifty (8450) nor more than eight thousand four hundred and seventy (8470), be and it is hereby authorized and empowered to issue the bonds of such city in an amount not to exceed fifty thousand (\$50,000) dollars, for street improvement purposes in said city. Said bonds shall be issued in such denominations, not exceeding one thousand (\$1,000) dollars each, and shall be payable at such place, and in such times not to exceed twenty years from their date as council may determine, but not more than ten thousand (\$10,000) dollars in amount of such bonds shall be issued in any one year after the question of issuing such bonds has been approved by the voters of any such city as hereinafter provided. All of said bonds shall bear such rate of interest, not to exceed six per cent. per annum, payable annually or semi-annually, as said council may direct, and said bonds shall in all respects be made and disposed of as provided by law. The proceeds of said bonds shall be used only to pay the cost of intersections, and the city's proportion as provided by law of the remaining cost of the improvement of the streets of such city. And no part of the proceeds of said bonds shall be used for opening, widening or straightening any street or alley. Before any bonds shall be issued or tax levied under this act the question of such taxation shall be submitted to the qualified voters of the city at any general or special election, as the council may determine of which not less than thirty days' notice by publication in two newspapers of opposite politics in said city shall be given; those voting in favor of such taxation shall write or print on their ballots, "Street improvement bonds—Yes," and those opposed thereto, "Street improvement bonds—No." If a majority of those voting on the question shall favor such taxation, the council may issue the bonds of the city as before provided.

Certain cities
 fourth grade,
 second class,
 authorized to
 issue bonds for
 street improve-
 ment purposes.

Question of
 issue to be
 submitted to
 vote.

SECTION 2. The city council of any such city shall levy Levy of tax.

annually, on all taxable property in said city, a tax sufficient in rate and amount to pay the accruing interest on said bonds, and provide a sinking fund to pay said bonds at maturity; and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.
213G

[House Bill No. 510.]

AN ACT

To provide for the payment of claims equitably due from city infirmaries of cities of the first grade of the first class.

City councils
in cities first
grade, first
class, to appro-
priate certain
sums for city
infirmaries.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of infirmary directors in every city of the first grade of the first class, in addition to the report required by section 2690*i* of the Revised Statutes, shall also before the first day of June next report to the comptroller of every such city the amount of money, not exceeding twenty-two thousand dollars, needed to pay for such supplies as they may be satisfied have been actually furnished to such infirmary and not heretofore paid for. Every such comptroller shall forthwith upon receipt of said estimate from such board of infirmary directors report the same to the council of such city and to the board of tax commissioners thereof in addition to the statements such comptroller is required to furnish under section 2690*f* of the Revised Statutes and in the manner in that section prescribed. And in the appropriations made under section 2690*h* of the Revised Statutes for the next fiscal year, the additional amount thus estimated by said board of directors shall be appropriated for such city infirmary, without alteration or amendment; and the same shall be expended by said board of directors, in paying such delayed or old claims for supplies furnished to the city infirmary as may be approved by them, by voucher certified to the city comptroller, upon which he shall issue his warrant to the city treasurer which warrant shall be paid as in the case of other claims against such city infirmary.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.
214G

[House Bill No. 678.]

AN ACT

Providing for certain improvements on the Miami and Erie canal.

WHEREAS, During seasons of high water, the overflow from the Miami and Erie canal, between the village of Lockport and Loramie creek, because of the lack of waste-weirs, and the accumulation of water, because of the insufficiency of a certain culvert, results in serious damage to adjacent land-owners; therefore,

Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of public works be and is hereby authorized and required to cause to be constructed, between said village and Loramie creek, waste-weirs sufficient to prevent such overflow, and also cause the culvert under the canal at that locality to be enlarged to an extent that will prevent the submerging of adjacent lands by accumulated water. Said improvement shall be completed prior to the first day of November, 1890; and the cost thereof shall be paid from any moneys in the general revenue fund not otherwise appropriated; and the sum of one thousand dollars (\$1,000) is hereby appropriated to carry out the provisions of this act.

Providing for certain improvements of Miami and Erie canal.

SECTION 2. This act shall take effect upon its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.
 215G

[House Bill No. 788.]

AN ACT

Authorizing the making of the state of Ohio party defendant in certain litigation in Summit county.

WHEREAS, A certain action is now pending in the court of common pleas of Summit county, Ohio, wherein Frances Snook is plaintiff and Andrew Jackson defendant which action is known in said court as number 3444, in which said action the said plaintiff seeks to recover from the said defendant the possession of certain real estate; and,

Preamble.

WHEREAS, The said defendant claims to hold said lands as a lessee of the state of Ohio, and that said lands are the property of the state of Ohio; and,

WHEREAS, The state of Ohio claims to be the owner of said lands; and,

WHEREAS, There can be no determination of said cause by which the question of title to said lands as between the said plaintiff and the said state of Ohio can be settled except by making the state of Ohio a party thereto; and,

WHEREAS, The said Frances Snook is without any remedy as against the state of Ohio to determine her title to

said lands except by suit between herself and the state; therefore,

State to be made party defendant in certain action.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the said Frances Snook be and she hereby is authorized to make the state of Ohio a party defendant in said action, and prosecute the same against said state to final judgment as in civil actions between private persons.

Service of summons on attorney-general, etc.

SECTION 2. Summons together with a copy of the petition and amended petitions, if there be any, shall be served upon the attorney-general of the state, or the attorney-general is, at his option hereby authorized to enter the appearance of the state as a party defendant in said action. And the service of all process, orders and notices, upon the state, which shall become necessary in the prosecution of said action, shall be complete if made upon the attorney-general, who is hereby authorized and required to defend said action on behalf of the state of Ohio and all acts in the premises done by him shall be binding against the state.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 24, 1890.

216G

[House Bill No. 738.]

AN ACT

To authorize the creation of a special road district in any township in the state of Ohio having, at the last federal census or [which at] any future federal census may have, a population of 4531.

Creating certain townships special road districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any township in the state of Ohio having, at the last federal census or [which] at any future federal census may have, a population of 4531, and containing an incorporated village with a population of 2435, be and the same is hereby created a special road district, when a majority of all the qualified voters voting at any regular or special election in any such township (after notice as provided for by law) shall declare in favor of the adoption of this measure; after the adoption of this act, as above provided for, by any such township, the trustees thereof shall appoint for the term of one year or until their successors are elected and qualified, as hereinafter provided for, three road commissioners, who shall be residents of the district, but not more than two of whom shall be residents of the same precinct.

Road commissioners: when elected; term.

SECTION 2. At the following spring election and after 10 days' previous notice, the said road commissioners shall be elected, one for one year, one for two years and one for three years. And annually thereafter, at the spring election there shall be one elected who shall serve for three years, or until his successor shall be elected and qualified. The votes shall

be taken in a separate ballot-box provided by the township trustees for such purpose. At their first meeting after the adoption of this law, the township trustees, in order to create a fund with which to work during the spring and summer of 1890, may borrow or issue certificates of indebtedness for an amount not to exceed three-tenths of the amount levied in 1890, and the sum borrowed or raised from certificates of indebtedness, together with the interest, shall be paid from the moneys derived from the levy for 1890.

Issue of certificates of indebtedness.

SECTION 3. The commissioners so elected shall be known as commissioners of public roads, and shall be a body corporate, with power to sue and be sued. Within ten days after their election they shall take an oath or affirmation to faithfully, honestly and impartially discharge all the duties of their office, and they shall enter into bonds payable to the state of Ohio, in trust for the aforesaid road districts, in the penal sum of not less than one thousand dollars each, with sureties approved by the township trustees, conditioned to fulfill the requirements of said oath or affirmation, said bonds to be recorded by the township clerk, and when forfeited in whole or in part, to be collected with the costs by the township trustees in a civil action. And moneys so collected shall go into the road fund of the district to be expended as other moneys. The township clerk shall be clerk of the board of commissioners, and shall receive such compensation as in the judgment of the board is proper.

Commissioners: name of board; powers, etc.

Township clerk to be clerk of board.

SECTION 4. The township trustees in such special road districts shall levy on the assessed and taxable property of the district, exclusive of incorporated villages, a tax not less than one or more than two mills on the dollar for any one year, for ordinary road work and repairs. And they shall levy not more than four mills in any one year on all the assessed and taxable property of such district, including the incorporated villages thereof, to pay the cost of grading, draining, macadamizing or paving roads as hereinafter provided for. And they shall certify the same to the county auditor in writing, on or before the fifteenth day of May of each year. And the county auditor shall assess the same respectively, on all the taxable property in such special road district, and the same shall be collected one-half in the December installment and one-half in the June installment, by the county treasurer, and paid over by him to the treasurers of such townships, the same to be expended for the improvement of the roads in such special road districts as above provided for.

Tax to be levied: amount, etc.

SECTION 5. The commissioners of public roads shall appoint one road supervisor for each voting precinct, who shall have charge of road repairs in his precinct, subject, however, to the supervision of the commissioners, except when, in their judgment, grading, widening or draining can best be done by contract. But before letting any contract for grading, widening or draining any one job of which will, in their judgment, exceed in cost the sum of fifty dollars, they shall make a careful estimate of the cost, and if necessary for this purpose, they may employ a competent engineer, and they shall advertise the letting of the work at least twenty days,

Road supervisors: appointment of duties.

Letting of contracts.

specifying the width, height and pitch of grade, and other necessary particulars and specifications, and let the contract to the lowest responsible bidder, taking from him a bond in a sum fixed by them, payable to the state, with good sureties, for the performance of the work, within a specified time, and in accordance with full written specifications, a copy of which bond and specifications shall be filed with the township clerk. But no bid shall be accepted which exceeds the estimated cost. The commissioners may reject any or all bids. The road supervisors shall certify to the commissioners for all labor expended and materials purchased under their direction, and the commissioners shall issue orders signed by the township clerk and payable at the office of the township treasurer for the amount due such orders when indorsed by the payee.

Supervisors
to certify for
all labor, ma-
terial, etc.

Implements
for road work;
by whom
bought; to be
kept in repair,
etc

SECTION 6. The road commissioners shall purchase needed improved implements for road work, and the same shall be used exclusively for that purpose, and the cost shall be paid out of any money placed to the credit of the district not otherwise appropriated. They shall be responsible for the good usage of such implements and take proper care of them when not in use.

Guide-boards.

SECTION 7. The road commissioners shall cause to be erected and kept in repair at the principal forks and cross-roads within the district leading to some village, depot or other important place, a post and guide-board, containing a legible inscription directing the way and naming the distance to the village or other public place or places situated on each of said roads, and shall provide and maintain where feasible and desirable, suitable watering troughs and places for procuring water for persons and animals on the public highways.

Road commis-
sioners: to
open existing
roads; powers
and duties.

SECTION 8. The road commissioners shall have power to open existing roads to the proper legal width. They shall cause to be opened all public roads which shall be laid out and established in the district, and to maintain the proper legal width and location of the same: to keep the same in good repair, and make from time to time such permanent improvements as the tax for road purposes will warrant: to cause to be removed forthwith all obstructions that may be found thereon: and to cause to be completed the work of grading and improving between the first day of April and the first day of July of each year; and to cause to be completed within a reasonable time after having been commenced, all repairs and improvements in a smooth and workmanlike manner and in good condition for all kinds of public travel. They shall at any time cause such repairs to be done as are necessary. They shall, within the months of July and August of each year, cause to be cut down and destroyed all weeds, burs, bushes and briars growing upon the public highways of the district. The road commissioners shall receive as compensation for services rendered the sum of two dollars per day, to be paid from the road funds of the district. The road supervisors shall receive as compensation for services rendered the sum of two dollars per day, to be paid out of the fund levied for road repairs.

Compensa-
tion.

SECTION 9. Whenever the township trustees of such special road district shall be presented with a petition signed by thirty freeholders, residents of such district, asking for a macadamized or paved road, they shall, within thirty days, submit the question to the legal voters of the district for their approval or rejection. Should a majority vote in favor of the improvement, then the road commissioners shall, as soon as practicable, appoint three viewers, who, together with some competent engineer, appointed by the commissioners, shall proceed to locate the same in accordance with the statutes governing road viewers, except that they shall report to the road commissioners of the district.

Macadamized roads: petition for.

Question of to be submitted to vote.

SECTION 10. The road commissioners shall establish the grade, which shall not exceed five degrees, and the width of the road-bed, which shall not exceed thirty feet, and the width of the macadamizing or paving, which shall not exceed twenty feet, and the covering of the road-bed, if of stone, shall not exceed fifteen inches in thickness in the middle of the road, and the stone shall not exceed three ounces in weight; they shall give public notice in at least one newspaper of general circulation in the district for a period of not less than thirty days, that they will receive sealed bids for the construction of the certain macadamized or paved roads, which they shall designate and describe by giving the terminus and other important points, if any. They shall divide the road into sections of one mile each, and the sections shall be numbered and designated in the public notice, and the bids must be for one or more designated section; the person whose bid is accepted must enter into bonds in such sums as the commissioners may designate, with good and sufficient sureties, payable to the state of Ohio, for the faithful performance of the contract, within a specified time and in accordance with the written specifications; said bonds and specifications shall be filed with the clerk of the board; the commissioners may reject any or all bids.

Road commissioners: duties of.

SECTION 11. To pay the cost of grading and macadamizing or paving roads, the trustees of the township are hereby authorized and required to issue and sell the bonds of the township in such denominations as they may determine, not to exceed in the aggregate the sum of seventy-five thousand dollars, bearing interest not to exceed five per cent. per annum, payable semi-annually; the principal to be payable in not less than ten years, nor more than thirty years from the date of issue, at the office of the treasurer of the township; said bonds not to be sold at less than their par value.

Bonds: to be issued by township trustees, etc.

SECTION 12. The county commissioners shall construct all necessary bridges and culverts for said improvements, as now provided by law, and pay the cost thereof out of the bridge fund of said county, and also pay costs of reviewing, surveying, locating and appropriating road-bed.

Bridges and culverts: to be constructed by county.

SECTION 13. The commissioners of public roads and the township treasurer shall meet annually on the second Monday in March, at the clerk's office; and the commissioners shall proceed to examine the itemized account of the treas-

Annual meeting.

urer, and settle the same, and all other claims against the said special district not before settled.

Repeal.

SECTION 14. All existing laws in conflict with the provisions of this act shall be inoperative as applied to any road district hereby created.

SECTION 15. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.

217G

[House Bill No. 841.]

AN ACT

To authorize the governor to make a deed for land in Union county.

Governor
authorized to
execute deed
to William P.
Hazen.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of the state of Ohio, is hereby authorized to make and deliver a deed in the name of the state to convey to William P. Hazen and his heirs and assigns, the lands in Union county, Ohio, described as follows, to-wit: Parts of surveys No. 10,704 and No. 10,705, conveyed by John Evans to the state of Ohio, and recorded in vol. 4, page 459 of the records of deeds of Union county, Ohio, beginning at the northwest corner of a four hundred acre lot, conveyed by John Evans to Cadwallader Wallace, being part of the same survey; thence with Wallace's line north 78° east 400 poles to his northeast corner; thence north 12° west 80 poles with Joshua Gist's line; thence south 78° west 400 poles to the survey line; thence south 70° east 80 poles to the beginning, containing 200 acres, more or less, and being the same tract which is now in the possession of said William P. Hazen.

Money to be
paid by Hazen.

SECTION 2. Before the said deed is delivered, the said William P. Hazen shall pay into the treasury of the state, for general purposes, the sum of three thousand and seventy-five dollars and fourteen cents.

Costs to be
paid by Hazen.

SECTION 3. The said William P. Hazen shall pay all costs that have accrued in the case now pending in the court of common pleas against him for the recovery of said land.

SECTION 4. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.

217½G

[House Bill No. 891.]

AN ACT

To authorize certain villages to erect a public building and purchase fire apparatus and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village, which by the last federal census of 1880 had, and which by any subsequent federal census, may have a population of five hundred and seventy-five (575) is hereby authorized to erect a building and purchase fire apparatus for the use of such village, and for that purpose to issue the bonds of such village to the amount of five thousand dollars (\$5,000.00) in such denominations, and payable at such times as the village council shall by resolution determine. Such bonds shall be signed by the mayor, countersigned by the clerk and attested by the seal of such village, and shall bear interest at a rate not to exceed six per centum per annum payable semi-annually from date thereof. And such bonds shall be sold according to law, and not for less than par value thereof.

Certain villages authorized to erect public building and purchase fire apparatus.

Issue of bonds.

SECTION 2. That the powers herein conferred, shall in no case be exercised by the council of such village until authorized by a vote of the qualified electors of such village, taken at a general or special election held therein; that for the purpose of submitting such proposition to a vote of such electors, the clerk of such village, shall give notice of the time of holding such election, which shall be published in all the newspapers published in such village, and by posting notices thereof in at least three of the most public places in such village at least ten days prior to the day of holding such election; such election shall be held at the usual place of holding elections, and by the officers authorized to preside at elections in such village. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of such village who, with the mayor of such village, shall, at any regular or special meeting of the village council, and in the presence of a quorum of such council, proceed to canvass such vote, and the village clerk shall enter the number of votes cast for such proposition, and the number of votes against such proposition in such village, and if it shall appear by the returns of such election that a majority of all the electors voting at such election have voted in favor of such proposition, such village council shall be authorized to exercise the powers conferred by this act, and if a majority of such electors voting at such election shall not have voted in favor of such proposition, such council shall not exercise the powers conferred by this act. The ballots voted at such election shall have written or printed thereon the words, "For the issue of bonds—Yes;" and those against, "For the issue of bonds—No."

Question of issue to be submitted to vote.

SECTION 3. The village council is hereby authorized to levy such tax, not to exceed two mills in addition to the rate now authorized by law, upon the taxable property of such village, each year thereafter, as may be necessary to pay the interest on such bonds as the same may become due, and to

Tax to be levied.

provide a sinking fund to pay the principal of such bonds at maturity.

SECTION 4. This act shall take effect and be in force from its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.
218G

[Senate Bill No. 137.]

AN ACT

To amend original section 637, Revised Statutes, as amended April 14, 1880 (O. L., 77 v., pp. 203 and 204), and original section 640, as amended April 17, 1885 (O. L., 82 v., p. 137).

Trustees: SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 637, Revised Statutes, as amended April 14, 1880, and section 640, as amended April 17, 1885, be amended so as to read as follows:

Residence of trustees. Sec. 637. No trustee hereafter appointed shall be a resident of the county in which the institution is located of which he is to be trustee. There shall be a quorum to do business, and two may approve accounts for the payment of current expenses, salaries and open contracts previously entered into by the board. Each board shall appoint a Secretary and his duties. a secretary, who may or may not be a member of the board, whose duty it shall be to keep a record of the meetings and of the proceedings of said board and attest the same.

Appointment of subordinates by trustees of benevolent institutions. Sec. 640. Upon the nomination of superintendents, boards of trustees may appoint stewards, but said steward so appointed shall not, at the time of his appointment, be a resident of the county in which said institution is located of which he is to be steward, matrons, physicians, assistant physicians, one of which may be a female, and other needed officers, and may remove such appointees at pleasure. They shall fix the compensation of each, not exceeding the maximum prescribed by law. Either of the officers named in this section may be suspended by the superintendent, who shall report the fact, and his reasons therefor, immediately to the board of trustees; but this act shall only apply to institutions controlled exclusively by the state.

Repeal. SECTION 2. That section 637, as amended April 14, 1880 (O. L., 77 v., pp. 203 and 204), and section 640, Revised Statutes, as amended April 17, 1885 (82 v., p. 137), be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
219G

[House Bill No. 395.]

AN ACT

To amend section 2709 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-seven hundred and nine of the Revised Statutes of Ohio, as amended April 18, 1883 (v. 80, p. 168), be so amended as to read as follows:

Power to borrow money, etc.:

Sec. 2709. Whenever any municipal corporation issues its bonds, it shall first offer them at par and accrued interest to the trustees or commissioners, in their official capacity, of the sinking fund, or in case there are no such trustees or commissioners to the officer or officers of such corporation having charge of its debt in their official capacity, and only after the refusal of such officer or officers to take all or any of such bonds at par and interest, shall such bonds, or as many of them as remain, be advertised and offered for public sale. In no case shall the bonds of the corporation be sold for less than their par value. All sales of bonds other than to the sinking fund officials by any municipal corporation, shall be to the highest and best bidder, after thirty days' notice, in at least two newspapers of general circulation in the county where such municipal corporation is situated, setting forth the nature, amount, rate of interest and length of time the bonds have to run, with time and place of sale. Additional notice may be published outside of such county on the order of council; provided, however, that in cities of the third grade of the first class, when any such bonds have been twice so advertised and offered for public sale, and the same, or any part thereof, remain unsold, then said bonds, or as many as remain unsold, may be sold at private sale, at not less than their par value, under the direction of the mayor and the officers and agents of the corporation by whom said bonds have been or shall be prepared, advertised and offered at public sale.

Municipal bonds: to be first offered to sinking fund trustees.

Not to be sold for less than par.

Sold to highest bidder after notice by publication.

May be sold, at private sale in certain cities

SECTION 2. That said original section 2709 as amended, be and the same is hereby repealed; and this act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
220G

[House Bill No. 418.]

AN ACT

To amend section 7008 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7008 be amended so as to read as follows:

Offenses against public policy:

Sec. 7008. The owner or harbinger of an animal of the dog kind, who permits such animal to be at large away from

Permitting dogs to run at large.

the premises occupied by him, unaccompanied by any person, shall be fined five dollars; and any person may kill any such animal found so running at large; provided, that if any person, in attempting to kill such animal, so running at large, fails to kill, and wounds the same, he shall not be liable to prosecution under section 6951.

Repeal.

SECTION 2. Section 7008 of the Revised Statutes is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
221G

[House Bill No. 438.]

AN ACT

To amend section 3426b of the Revised Statutes of Ohio.

Railroad companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3426b of the Revised Statutes be and is hereby so amended as to read as follows:

Railroad company, and any number of persons, may become purchasers.

Sec. 3426b. That any railroad company organized or existing under the laws of this state may become the purchasers of such property, as provided in the first section (3426a) of this act, and any number of persons may become the purchasers of such road, road-beds, rights of way, property and franchises, as provided herein, either directly at such judicial sale or by grant from the purchasers at such sale, whether the same shall have been heretofore or may hereafter be made; and upon filing a copy of said deed or grant in the office of the secretary of state with articles of incorporation executed in accordance with sections thirty-two hundred and thirty-six and thirty-two hundred and thirty-seven of the Revised Statutes of Ohio, they and such persons as they may associate with them, not less than five in number, shall become a corporation, with perpetual succession, by such name as they may assume to themselves, with full capacity to maintain and operate such railroads, whether located wholly within this state, or partly within this state and partly within another state or states, and with authority to provide for the purchase price of the railroad and other property so purchased, by the issue of its capital stock, preferred or common, and bonds secured by mortgage or otherwise, bearing interest at a rate not exceeding seven per cent. per annum, and stock and bonds heretofore or hereafter issued as such purchase price, in whatever amounts the incorporators, in good faith, may have agreed on, shall be valid and taken as fully paid for by the transfer to said corporation of such railroad and property, and also by such issue of stock or bonds, to raise the necessary means suitable to improve such railroad property and equip-

Purchasers may be incorporated.

Stock and bonds may be issued as purchase price, etc.

ment for the uses and purposes for which it is employed; and in the operation and maintenance of such railroad, the said corporation shall be entitled to all the rights, and be subject to all the obligations and restrictions imposed upon railroad companies by the general laws of this state.

SECTION 2. Original section 3426b is hereby repealed.

Repeal.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
222G

[House Bill No. 915.]

AN ACT

To provide compensation and clerks for county decennial boards of equalization for the equalization of the appraisement of real estate appraised in 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That each member of any decennial county board of equalization for the equalization of real property as appraised by the district assessors in the year 1890, including the county auditor shall be entitled to receive for each day necessarily employed in the performance of his duties the sum of three dollars (\$3) to be paid out of the county treasury, after the same has been allowed by the board of county commissioners. But in any county containing a city of the first grade of the first class, each of said members shall receive five dollars (\$5) per day, for each day necessarily employed in the performance of their duties. And in any such county the board may appoint all necessary clerks not exceeding five, who shall receive five dollars (\$5) per day for their services for the time actually employed, which shall be paid out of the county treasury.

Decennial
county board
of equaliza-
tion: pay of.

In county con-
taining city
first grade,
first class.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
223G

[Senate Bill No. 29.]

AN ACT

To enable certain incorporated villages to construct and operate electric light works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any incorporated village which, at the last

Certain vil-
lages author-
ized to estab-

lish and
operate
electric light
works.

federal census, had or at any subsequent federal census may have a population of not less than one thousand eight hundred and seventy (1870) nor more than eighteen hundred and seventy-five (1875) inhabitants, is hereby authorized to buy real estate, purchase dynamos, engines and all other apparatus necessary and proper for the erection of electric light works in said village, for lighting the streets, alleys, public grounds and public buildings within said village, and also for lighting private dwellings, business houses and places.

Bonds.

SECTION 2. In order to procure the necessary funds for the construction of said electric light works, any such village shall have the right to issue and sell bonds of said village not exceeding fifteen thousand dollars in amount, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, which bonds shall be sold or negotiated at not less than the par value thereof, and shall be payable in not more than twenty (20) years after the date thereof.

Tax to be
levied.

SECTION 3. To enable said village to raise a fund sufficient to pay the annual interest accruing upon said bonds and to provide a sinking fund for the redemption thereof, the council of such village is hereby authorized to levy on all the taxable property therein, annually, a tax not exceeding three mills on the dollar, in addition to the other taxes which may be authorized by law. The proceeds of said special levy shall be kept separate from all other funds, and shall be used only for the purpose of paying the interest accruing upon said bonds and to provide a sinking fund for the payment of said bonds at their maturity.

Council may
supply private
dwellings, etc.,
with light.

SECTION 4. The council of such village is hereby authorized to supply private dwellings, business houses and places with said electric light at such rates not less than the fair and legitimate cost of production, including interest on the bonds and wear and tear of the plant, as may be agreed upon between the council and said private consumers.

Village council
to control
works, appoint
officers, etc.

SECTION 5. The council of such village shall have the control and management of said electric light works, and shall appoint such superintendents, engineers, and other officers and agents, as the council shall by ordinance deem necessary and proper for the management of the same. And the ordinance shall define the duties, powers and responsibilities of such agents and officers and shall fix their compensation.

Earnings of
works to be
applied to
payment
expenses.

SECTION 6. All income and profits arising from the sale of said electric light to private consumers shall be applied to the payment of the salaries of officers and agents employed in managing said works, and to the payment of the other running expenses thereof, and should any surplus remain after paying salaries and expenses, the same shall go to the sinking fund to be created for the payment of said bonds as aforesaid.

Surplus.

Question of
issue to be
submitted to
vote.

SECTION 7. Provided, that no bonds shall be issued or sold or money expended under the provisions of the [this] act until the question of their issue and the expenditures of money for the purpose herein specified shall have been sub-

mitted to the legally qualified voters of said village at a general or special election to be hereafter held of which submission and election at least ten days' notice shall be given by the mayor by publication in at least one newspaper of general circulation in the village and by proclamation of the mayor, posted in at least five public places in said village. At the said election those who are in favor of the issuing of bonds shall have written or printed on their ballots "Electric light bonds—Yes," and those opposed shall have written or printed on their ballots "Electric light bonds—No;" and if sixty-five per cent. of those voting on such proposition at such election shall be in favor of issuing said bonds, then said bonds may be issued and sold according to the provisions of this act.

SECTION 8. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
224G

[Senate Bill No. 62.]

AN ACT

To authorize the city councils of cities of the first grade of the second class to issue bonds for water-works purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city councils of cities of the first grade of the second class, wherein water-works have been constructed, be and they are hereby authorized and empowered, upon the application of the board of trustees of such water-works except in any of such cities having a board of public works, then upon the application of such board of public works, for the purpose of laying water-pipes in streets proposed to be permanently improved, extending pipe lines, enlarging mains already laid and constructing additional mains and pipe lines, to issue, from time to time, the bonds of such cities, for any sum not exceeding in the aggregate one hundred and seventy-five thousand dollars (\$175,000) running for such length of time as such city councils may determine, not exceeding thirty years, and bearing a rate of interest not exceeding five (5) per centum per annum, payable annually or semi-annually, and of the denominations of one thousand dollars (\$1,000) each.

Certain cities
authorized to
issue bonds for
water-works
purposes.

SECTION 2. Such bonds shall be issued and sold in manner as is or may be provided by statutes for the issuing and sale of other bonds of such municipal corporations. Said bonds shall be designated water-works bonds, and the proceeds of the sales thereof shall be applied exclusively to the purpose for which they are issued.

Disposition of
bonds.

Tax to be
levied.

SECTION 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act, as they mature, respectively, the city councils of such cities are hereby authorized and empowered to levy, annually, upon all the taxable property within such cities, not to exceed three-tenths of one mill in any one year, upon each dollar valuation thereof, additional in amount to the aggregate rate, and the aggregate of all taxes now or hereafter authorized to be levied or ordered by such cities.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

225G

[Senate Bill No. 77.]

AN ACT

To amend section 6454 of the Revised Statutes, as amended March 19, 1889.

Criminal:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6454 of the Revised Statutes of Ohio, as amended March 19, 1889 (vol. 86, page 117), be amended so as to read as follows:

Concurrent
jurisdiction of
probate court:
in what coun-
ties.

SECTION 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors, and in all proceedings to prevent crime, in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Hardin, Morgan, Trumbull, Logan, Morrow, Muskingum, Marion, Warren, Pickaway, Seneca, Ross, Butler, Huron, Jackson, Van Wert, Union, Putnam, Wayne and Noble.

Repeal.

SECTION 2. That section 6454, as amended March 19, 1889 (vol. 86, page 117), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

226G

[Senate Bill No. 86.]

AN ACT

To amend section 6968 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6968, of the Revised Statutes of Ohio, as amended April 14, 1888, as amended April 15, 1889, be so amended as to read as follows :

Offenses
against public
policy:

Sec. 6968. No person shall draw, set, place, locate or maintain any pound net, seine, trap or fish net, in Lake Erie, nor [in] Sandusky bay, nor in Maumee bay as far up as Maumee bridge, nor in Portage bay, as far up as Oak Harbor bridge, from the fifteenth day of June to the tenth day of September, inclusive. No person shall set, place, locate or maintain, or catch fish with a gill net in any of the waters of the state, except in Lake Erie. No person shall set, place, locate or maintain any fish net on any of the reefs in Lake Erie. No person shall set, place, locate or maintain in Lake Erie any portable fish net within five hundred feet of any stationary fish net or lead thereof. No person shall set, place, locate or maintain any net whatever, within one-half mile of the mouth of any river or creek flowing into Lake Erie. No person shall catch fish in Mercer county reservoir between the twentieth day of May and the twentieth [day] of July, inclusive ; or in the Licking or Lewistown reservoirs between the first day of June and the first day of October, inclusive, with any device except hook and line with bait or lure ; and in the season in which net fishing is permitted in the said Mercer county, Licking and Lewistown reservoirs, the net known as fyke net or set net only shall be used, and with hoop or mouth of not over six feet in its greatest width, and with wings or leads of not over fifty feet in length ; provided, that the fyke nets or set nets used in Licking reservoir shall not have wings or leads, and no nets shall be set, placed, located or maintained nearer to each other than fifty feet, measuring from the end of one lead to that of another. No person shall, in any of the waters, either natural or artificial, lying in the state of Ohio, or part therein, shoot or spear fish. No person shall draw, set, place, locate or maintain, or catch fish with a device called a trammel net or with fyke net or set net, except as heretofore stated. No person shall, in any of the waters of the state, except those heretofore named in this section, catch fish with any device whatever, except hook and line, with bait or lure. No person shall draw, set, place, locate or maintain, any fish trap, pound net, seine, or any device for catching fish as in this section forbidden ; and any nets, seines, pound nets or other devices for catching fish, set, placed, located or maintained in violation of the provisions of this section, shall be confiscated wherever found, and the same shall be sold to the highest bidder, at public outcry, at a place to be selected by the fish commissioners, and the proceeds derived from such sale shall be placed to the credit of the fish and game fund, and subject to the warrant of such commissioners. No person shall catch or have in his possession any black bass of less than eight inches in length ;

Unlawful
catching and
killing of fish.

buy, sell or offer for sale, or have in his possession any fish caught out of season, or in [any] manner prohibited; provided, that nothing in this act shall prevent the taking of minnows for bait, with nets, or shall prevent the fish and game commissioners of this state, or their agents, from taking fish at any time or place, in any manner, for the purpose of stocking ponds, lakes and rivers, and for the maintenance and cultivation of fish in hatcheries. Any person convicted of a violation of any of the provisions of this act, shall be fined for the first offense not less than twenty-five dollars nor more than one hundred dollars, and in case of neglect or refusal to pay said fine, be imprisoned in the county jail not less than thirty days; and for the second or any subsequent violation of this act, shall be fined not less than fifty dollars nor more than five hundred dollars, and in default of payment of fine and costs shall be imprisoned in the county jail not less than sixty days; and all fines collected under this act shall go to the county fish and game fund in the county wherein the offense was committed, unless otherwise directed and ordered by the fish and game commissioners of this state. And it is hereby made the duty of the wardens and assistant wardens of this state, to prosecute all violations of this act in connection with the prosecuting attorneys of the counties wherein such offense shall have [been] committed, and such prosecuting attorney shall be entitled to the same fees as are now allowed by law for the collection of forfeited bonds. Provided, that nothing in this act shall apply to artificial fish ponds, nor to private marsh lands included in original survey of the general government.

Repeal.

SECTION 2. That said original section 6968 be and the same is hereby repealed.

SECTION 3. This act shall be in force from and after May first next following its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

227G

[Senate Bill No. 145.]

AN ACT

To amend section two (2) of an act entitled "an act to provide for the publication and distribution of the roster of Ohio soldiers," passed May 12, 1886, and amended February 3, 1887, February 20, 1888, and February 25, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two (2) of the above mentioned act be so amended as to read as follows:

Roster of Ohio
soldiers: dis-
tribution of
volumes of.

Sec. 2. The distribution of said volumes shall be under the direction of the adjutant-general, and shall be as follows: To each member of the sixty-seventh (67) and sixty-eighth

(68) general assembly twenty copies of each volume, inclusive of copies already received; and each member of the sixty-ninth (69) general assembly seven (7) copies of each volume; but when any member of the sixty-seventh (67) or sixty-eighth (68) general assembly becomes a non-resident of the county or district he represented, the said copies of each volume may be drawn by his successors; to the roster commission, twenty-five (25) copies of each volume; to the adjutant-general, for distribution to the adjutant-general of each state and territory, and proper officials of the war department at Washington, D. C., sixty (60) copies of each volume; to each of the state officers of Ohio, and to each of the various state departments and institutions, one (1) copy of each volume; to the state library, fifty copies of each volume for exchanges, and ten copies of each volume [to be] retained permanently therein; to each public library of an incorporated city or village of the state, one copy of each volume; to each post of the grand army of the republic, to each command or [of] the union veterans' union, and to each encampment of the union veteran legion on condition that if the post, camp or command be disbanded at any time the same shall be returned to the state library, one copy of each volume; and to the department of Ohio grand army of the republic, and loyal legions, each one copy of each volume; and to each camp of the sons of veterans, on condition that if the camp be disbanded at any time the same shall be returned to the state library, one copy of each volume; to each county recorder, to be by him kept in his office, and transferred to his successor as other public records, one copy of each volume; to each township clerk, to be by him kept in his office and to be transferred to his successor, one copy of each volume; to each clerk in roster department, one copy of each volume; provided, that any distribution herein provided for shall be inclusive of copies of volumes already distributed under former laws; the remainder of said copies after such distribution, shall be placed on sale by [the] adjutant-general, at a price not exceeding one dollar per volume; he shall keep a record of such sales, and shall, at the end of each quarter of the fiscal year, pay into the state treasury the sum received, until all of said volumes are sold, unless otherwise directed by the general assembly; provided, that he shall not sell more than one copy of each of the said volumes to the same person.

Copies to be
sold by adju-
tant-general.

SECTION 2. That section two (2) of said act, passed May 12, 1886 (83 v. 146), as amended February 3, 1887, February 20, 1888, and February 25, 1890, is hereby repealed. Repeal.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.

228G

[Senate Bill No. 154.]

AN ACT

To provide for the organization and maintenance of fire departments in cities of the second class, fourth grade, having at the last federal census a population of four thousand five hundred and thirty-eight.

Fire department to be controlled by water works board in certain cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cities of the second class, fourth grade, having at the last federal census a population of four thousand five hundred and thirty-eight, and having a regularly organized board of water-works trustees, the management and control of the fire department of such cities shall be vested in such board of water-works trustees, who shall manage and control such fire departments without extra compensation therefor.

Board to make rules, etc.

SECTION 2. That the said board of water-works trustees shall prescribe the duties of the officers and members of such fire departments, and from time to time make such rules and regulations for the government of the same as may be found necessary, which rules and regulations shall, when approved by the city council, have the force and effect of ordinances.

Repairs of apparatus, purchases, etc., to be ordered by board.

SECTION 3. That the said board shall make all necessary repairs of all apparatus pertaining to the fire department of such cities, and shall purchase all necessary horses, hose trucks, ladder trucks, hose, ladders, apparatus and supplies, horse feed and other articles as may be found necessary, and contract in the name of the city for the same, but no member of such board, or officer, or employe thereof shall have the power to incur any liability unless authorized to do so at a meeting of such board.

Balance in treasury subject to order of board.

SECTION 4. That any balance now in the treasury of such city be subject to the order of the said board of water-works trustees, and be disbursed for the maintenance of the fire department as the needs of said department require.

Levy for fire department: to be certified to council by board.

SECTION 5. That such board shall, on the last Friday of April annually, certify to the city council the amount necessary to be levied on the tax duplicate for the support of the fire department for the ensuing year, and so much thereof as may be allowed by the city council (which shall not be less than $1\frac{1}{2}$ mills on the dollar on the taxable property in such city) shall form a part of the tax levy to be placed to the credit of, and used exclusively for the fire department; but such board shall have no power to incur any liability on behalf of such city on account of the fire department beyond the amount so levied and set apart, and all claims on account of the fire department shall be approved by a majority of the board, and when so approved, shall be paid out of the city treasury on the order of such board signed by the president and clerk thereof.

Minimum limit of.

Board not to incur liabilities beyond amount of levy.

Chief: to be appointed by mayor, under approval of board.

SECTION 6. That the mayor of such city shall appoint one chief of the fire department, subject to the approval and confirmation of said board of water-works trustees, and that such chief of fire department shall appoint all such assistants and subordinate officers and members of the fire department

as are deemed necessary by the said board, all of which appointments shall be subject to the approval and confirmation of said board. Such officers and members shall serve until the first Monday in May, 1891, or until their successors are in like manner appointed and qualified, and thereafter such officers and members of said fire department shall be appointed annually, in like manner for one year, terminating on the first Monday in May, unless sooner suspended or removed.

To appoint assistants, subordinate officers, etc.

Term.

SECTION 7. That said board shall have the power to fix the amount of salary and compensation paid to the officers and members of such fire department, which shall not exceed for the chief of fire department, \$250 per annum; for assistant chief, \$150 per annum; for truck drivers, \$728 per annum; for regular firemen, \$100 per annum; for members of salvage corps, \$25 per annum, which salaries and compensation shall be payable in equal monthly installments at the first regular meeting of the board of each month.

Salaries: to be fixed by board.

SECTION 8. The chief of the fire department shall have the management and control of the fire department, under the direction and supervision of such board of water-works trustees, and the said chief of fire department and all drivers of trucks, before entering upon their duties, shall enter into bond with good and sufficient sureties, to be approved by the mayor, and shall take and subscribe an oath before the mayor to faithfully perform their duties as members of the said fire department.

Chief: power of.

Bond to be given by chief and drivers of trucks.

SECTION 9. That acts or parts of acts in conflict with this are hereby repealed; and this act shall take effect upon its passage.

NIAL R. HYSSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
229G

[Senate Bill No. 161.]

AN ACT

To amend section 2572b of the Revised Statutes, passed February 19, 1889 (O. L., vol. 86, page 47).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2572b be amended so as to read as follows:

Public halls, etc.:

Sec. 2572b. It shall be the duty of the state inspector of workshops and factories, or his assistants, to make inspections of such building as is provided for in sections 2568 and 2569 of the Revised Statutes of Ohio as often as he may deem necessary, or upon the written demand of the agent, or owner of such structure, or upon the written request of five or more citizens of the municipal corporation where such structure is located.

When inspection to be made.

SECTION 2. That section 2572b of the Revised Statutes is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.

230G

[Senate Bill No. 164.]

AN ACT

To equalize water rates in certain cities.

Water rates:
must be uni-
form in cities
first grade,
second class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the first grade of the second class the rates for water furnished by the water-works of said cities, shall be equal and uniform to all consumers, including the state of Ohio, as nearly as the same can be estimated or measured by the one thousand gallons, without discrimination either in measurement, price or terms of payment except as provided in section 2417 of the Revised Statutes.

SECTION 2. This act shall take effect and be in force from and after November 1st, 1890.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.

231G

[Senate Bill No. 174.]

AN ACT

To create an additional legal holiday.

Making part
of first Tues-
day after first
Monday in No-
vember a legal
part holiday.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the first Tuesday after the first Monday in November of each year, from and between the hours of twelve o'clock noon and two o'clock p. m., shall be, for election purposes only, a legal part holiday. And no employe who is an elector shall be compelled or required to perform any labor between said hours, nor shall any employer or his or its officers or agents discharge any such employe because he fails or refuses to labor between said hours or require or order any such employe to accompany him to the voting place of such employe, and any person violating any of the provisions of this act shall upon conviction be fined not more than twenty-five dollars.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.

232G

[Senate Bill No. 175.]

AN ACT

For the relief of Dr. A. A. Mannon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of state is hereby authorized to issue a duplicate for warrant No. 6336 (said original warrant having been lost) in favor of Dr. A. A. Mannon, for twenty-five dollars.

For the relief
of Dr. A. A.
Mannon.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
233G

[Senate Bill No. 207.]

AN ACT

To supplement section 5725 of the Revised Statutes of Ohio, with sectional numbering as follows, relating to the conveyance of real estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That as supplementary to section 5725 of the Revised Statutes, there be and is hereby created a section, with sectional numbering as follows:

Dower:

Sec. 5725a. That any real estate or interest therein, coming to any person by purchase after the husband or wife of such person is adjudged insane, and is an actual inmate of any asylum for the insane provided by the state may be conveyed by such person, at any time while such insane husband or wife remains an inmate of any such asylum, free and clear, from any dower, right or expectancy of such insane person, and dower shall not attach to any such real estate both so acquired and conveyed during said time as aforesaid in favor of such insane person, and the indorsement upon the instrument of conveyance, by the superintendent of any such asylum that such husband or wife is an insane inmate of such asylum stating when received therein, signed officially by him, shall be sufficient evidence of the fact that such husband or wife is such insane inmate and such indorsement shall be a part of such instrument of conveyance.

Real estate
may be con-
veyed by per-
son, free from
dower, if hus-
band or wife is
insane; under
what condi-
tions.

SECTION 2. That this act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
234G

[Senate Bill No. 216.]

AN ACT

Supplementary to section 1692, paragraph 31, Revised Statutes of Ohio.

**Enumeration
of powers:**

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 1692, paragraph 31, of the Revised Statutes, with sectional numbering as herein provided: .

Certain villages authorized to vote on question of issue of bonds for water-works purposes.

Sec. 1692, paragraph 31a. That any incorporated village in counties containing a city of the first grade of the first class by a two-thirds vote of all the members of council, may issue bonds in a sum not exceeding twenty thousand dollars, for the purpose of laying water pipes to and through the streets, for supplying the citizens with water; said bonds to be signed by the mayor and countersigned by the clerk, and to be for sums not less than \$100 and not more than \$1,000 each, and bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, the principal and interest of said bonds to be payable at such time and such place as the council may direct; provided, that said bonds shall not be sold for less than their par value.

Levy of tax.

2. That for the purpose of paying said bonds and the interest thereon as the same may become due, the council is hereby authorized and empowered to levy and assess, in addition to that now allowed by law, a tax on all taxable property of said village, annually, as shall be sufficient to pay the principal and interest on said bonds, as they become due, and the money so raised shall not be used for any purpose other than paying said bonds and the interest thereon; provided, that the question of issuing said bonds shall first be submitted to a vote of the qualified electors of said village, at some general or special election held in said village, ten days' notice whereof shall have been given by posting written notices in five public places in said village, and if a majority of the votes cast at said election shall be in favor of issuing said bonds, the council shall have the authority to issue the same as hereinbefore provided.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

235G

[Senate Bill No. 225.]

AN ACT

To amend an act entitled "an act supplementary to section 1500 of the Revised Statutes," passed February 17, 1887.

Officers of civil townships:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the above recited act be so amended as to read as follows:

Sec. 1500a. When information is given to the trustees of any township that the dead body of any pauper or unknown person, not the inmate of a penal, reformatory, benevolent or charitable institution, has been found in such township, and such body is not claimed by any person for private interment at his own expense or deliver[ed] for the purpose of medical or surgical study or dissection, in accordance with law, they shall cause the said body to be buried at the expense of the township, keeping an accurate account of all moneys so expended, which, with the vouchers therefor, in counties having a county infirmary they shall certify to the infirmary directors of the county, who shall cause the amounts so expended to be refunded to the township out of the poor fund, and in other counties such certificate shall be made to the county commissioners, who shall cause the amounts so paid, to be refunded to the township, out of the county treasury on the warrant of the county auditor.

Burial of the unclaimed dead by township trustees.

Refunder of expenses by county.

SECTION 2. That an act entitled "an act supplementary to section 1500 of the Revised Statutes," passed February 17, 1887, be and the same is hereby repealed.

Repeal.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

236G

[Senate Bill No. 240.]

AN ACT

To amend section 4920 of the Revised Statutes of Ohio, as amended March 21, 1887, relating to the improvement and repair of damaged highways.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4920 of the Revised Statutes of Ohio, be so amended as to read as follows:

Miscellaneous provisions:

Sec. 4920. To anticipate the receipts which may come into the county treasury by virtue of such tax, the commissioners may borrow from time to time, such sums of money as shall not exceed in the aggregate four-fifths of the tax levied; but the money so borrowed in any one year shall not exceed four-fifths of the taxes levied in such year, and shall be paid with lawful interest, at the county treasury, out of the taxes so levied. In addition to the power to borrow money, as herein granted, said commissioners are authorized, upon the written petition of one or more persons interested, describing the road or part thereof proposed to be improved, to contract in writing with any person or persons living upon or near, or owning land abutting upon any such road within the county, to improve such part of such road as may be described in said petition, within such time and in such manner, and for such compensation, payable as hereinafter provided,

Tax for repair of damaged highways may be anticipated.

Contract to improve parts of road.

Certificate of
compensation
due.

Rights of hold-
er of certifi-
cate.

Contracts for
keeping road
in repair.

Repeal.

and not otherwise, as said commissioners may direct; and as soon as such road or part thereof is fully improved and completed, to the satisfaction of said commissioners, they shall give to the person, his administrator or executor, with whom they have contracted to repair the same, a certificate, specifying the amount of compensation due for work performed under said contract, stating when authority was given for the improvement of such road, and when the same was completed and accepted by the commissioners. In case of any dispute between the person or persons making such improvement and the commissioners, the judgment of the commissioners therein shall be final. The holder of such certificate shall be entitled to have the amount of compensation therein specified credited on any road tax levied on the property of such person situate within the township within which such road or part of road may have been improved, as aforesaid. If such road tax levied in any one year on such property is not sufficient to cover the amount named in the certificate, the same shall, in like manner, be so credited from year to year, until the certificate is fully paid without interest; and until such certificate shall be paid in full, the county auditor shall issue, each year on demand, to the holder of such certificate, a warrant, addressed to the treasurer of the county, specifying the amount of road tax which is chargeable against the property of the holder of such certificate, in such year, in said township, and directing the treasurer to receive the same as cash in payment of such road tax. And the holder of such certificate may transfer the same [and] any balance due thereon to any subsequent purchaser of the property owned by him in such township, when such certificate was issued; and whenever any road or part of road shall have been improved in pursuance of contract made with the county commissioners, as provided in this section, it shall be lawful for the county commissioners or the trustees of the township in which such road or part of road improved as aforesaid, shall be situated, to enter into an agreement with any responsible person or persons for the repair of such improved road or part of road from year to year, and upon such terms as may be agreed upon, and the amount so agreed to be paid for the repair of such road or part of road, shall be paid out of the county road fund in case said agreement shall have been made with the county commissioners, or out of the township road fund in case said agreement shall have been made with the township trustees.

SECTION 2. Section 4920, as amended March 21, 1887, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
237G

[Senate Bill No. 280.]

AN ACT

To authorize the county commissioners, in counties in which there are situated cities of the first grade of the second class, to improve roads extending from children's homes to intersect streets in such cities in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in counties in which there are situated cities of the first grade of the second class, the trustees of children's homes in such counties shall have authority to cause the roads extending from such children's homes to be improved to the corporate limits of such cities, so as to connect such roads with streets of such cities having permanent improvements; provided, that such improvement of such roads shall in no case exceed the distance of two thousand feet.

Trustees of children's homes in certain counties authorized to improve roads extending from home.

SECTION 2. To make such improvements of such roads, the county commissioners of such counties are authorized and empowered to appropriate a sufficient amount of any unexpended funds not needed by the trustees of the children's homes in such counties for the proper conduct and management of such homes which may come into the general expense fund of such counties.

Appropriation of funds to meet expense.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
238G

[Senate Bill No. 282.]

AN ACT

To confer certain powers and authority on certain officers of cities of the second grade of the second class hereinafter named, to authorize and provide for the construction of certain improvements therein, and to issue bonds for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the second grade of the second class the powers and authority vested in, and the duties imposed upon the city council and the commissioners of sewers of such cities, under and by virtue of the provisions of subdivision five, chapter four, division seven, title twelve, of the Revised Statutes of Ohio, be and the same hereby are vested in and imposed upon the board of city commissioners of such cities.

Board of city commissioners in certain cities vested with certain powers.

SECTION 2. The said board of city commissioners may, and are hereby authorized and empowered to make any or all of the improvements provided for in and by said subdivision five, chapter four, division seven, title twelve, of said Revised Statutes, and for that purpose may make and enter into contracts, in the name of such city, for the furnishing of

May make improvements.

materials and doing the work necessary for the construction of the same, either for the entire work in one contract, or for parts thereof, in separate or specified sections, as to them may seem best, and to superintend and control all work done in pursuance thereof.

Shall submit to council plans and specifications of, and ordinance for improvement.

SECTION 3. The said board of city commissioners of any such city shall cause to be made plans and specifications of said improvement or improvements, together with an estimate of the cost of the same, including materials to be furnished therefor, and shall submit the same to the city council of such city, with its recommendation, and a resolution or ordinance, as the case may be, declaring the necessity for such improvement, and providing therefor; upon the passage by council of the resolution or ordinance, it shall be the duty of said board of city commissioners to advertise for proposals in accordance therewith, and to proceed forthwith with the construction of such improvement, in accordance with said plans and specifications.

Shall advertise for proposals.

Shall provide for payment of cost of improvement: how.

SECTION 4. The said board of city commissioners shall have power, and is hereby authorized to provide for the payment of the cost and expenses of any such improvement, and to provide for the [collection of the] same, in any one of the modes, and to [the] extent authorized by, and as provided in subdivision five, chapter four, division seven, title twelve, of the said Revised Statutes.

Bonds: to be issued by city commissioners.

SECTION 5. For the purpose of providing a fund for the payment of the costs and expenses of any such improvement, the said board of city commissioners shall be authorized from time to time as the work progresses, to issue the bonds of said city, in such sum or sums as they may deem best; and it shall be the duty of said board of city commissioners to make and execute bonds in the name of said city, to an amount not exceeding the contracted price of said work, and the incidental expenses attending the same. Said bonds shall bear the name or number of the district or districts of such city improved; they shall be signed by the president of the board of city commissioners, and countersigned by the city auditor, and sealed with the seal of the said city auditor; they shall bear interest at a rate not exceeding seven per centum per annum, payable semi-annually, the principal and interest to be payable at such place as may be designated by said board of city commissioners, and may be made to run any length of time not exceeding ten years. Said board of city commissioners shall be authorized to negotiate and dispose of said bonds in the manner provided in section 2907 of the Revised Statutes, and for such prices as may be obtained for the same, not less than par, and shall pay over to the treasurer of said city, and report to the city auditor, the number of bonds sold, and the amount received therefrom.

How signed.

Interest.

How sold.

Issue of bonds to meet city's part of expense of improvement.

SECTION 6. For the purpose of providing a fund for the payment of so much of the costs and expenses of making any such improvement as may be assessed against the city at large, the said board of city commissioners is hereby authorized and empowered to issue the bonds of such city, for any

amount not exceeding in the aggregate the sum of one hundred and fifty thousand dollars, which bonds shall be signed by the president of the board of city commissioners, and countersigned by the city auditor of said city, and sealed with the seal of the said city auditor. Said bonds may be made to run for any length of time, not exceeding thirty years, and at a rate of interest not exceeding five per centum, payable semi-annually; said bonds may be issued at such time or times, and in such amount or amounts as the progress of the work and the convenience of the corporation may require, and shall be sold in the manner provided in section 2907 of the Revised Statutes, and shall not be sold for less than par; the proceeds thereof to be applied to the payment of the cost and expenses of said improvement, and no other purpose whatever.

SECTION 7. The said board of city commissioners shall cause a plat of the said improvement to be prepared, showing the separate lots and parcels of land bounding and abutting thereon, and the names of the several owners thereof, and shall also make, or cause to be made, a list or schedule of the names of all such owners, and the amount assessed against each lot or parcel of land. They shall give two weeks' public notice by advertisement in two newspapers of opposite politics in such city, of the time and place where, for the period of twenty days, the same may be seen for the correction of errors, and after having corrected such errors as may be made known to them, they shall file the same in the office of the city auditor, and shall deliver a copy of said plat and schedule to the auditor of the county in which said city is situated.

Publication of
notice of assess-
ments on abut-
ting property.

SECTION 8. The said assessments shall be placed upon the duplicate of the county, and shall be payable at the office of the county treasurer of said county, in ten equal annual installments, with interest at a rate not to exceed seven per centum per annum, upon the unpaid portion thereof, the first of which, with the interest on the whole amount, at not to exceed the rate aforesaid, shall be payable at the first semi-annual payment of taxes next succeeding the time said assessment is so placed on said duplicate, and the other, annually thereafter, with interest on the installments not due at the time, until all are paid; and said assessments shall be collected like other taxes.

Assessments:
how collected.

SECTION 9. Said assessments, with the interest accruing thereon, shall be a lien upon the lots and parcels of land bounding and abutting upon said improvement, and shall remain a lien until fully paid. They shall have precedence over all other liens, and shall not be divested by any judicial sale.

Assessments,
with interest
thereon, to be a
lien on land.

SECTION 10. It shall be the duty of the city council of any such city, annually, to levy a tax upon all the taxable property of said corporation, or upon such district or districts thereof as the board of city commissioners may direct, and certify the same to the county auditor upon a certificate to that effect from said board of city commissioners,

Levy of tax.

for the purpose of paying the interest on, and to provide a sinking fund for the final redemption of the bonds specified, and to be issued under the authority conferred upon and by virtue of section six of this act. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

Assessments
may be collect-
ed before work
done.

Deficiency:
what to be
done in case of.

Right of prop-
erty-owner to
pay assessment
in full.

SECTION 11. The board of city commissioners may, if it deems expedient, cause the assessments to be made and collected before the work is done, or contracted for, and if an assessment proves insufficient to pay for said improvement, and the expenses incident thereto, the said board of city commissioners may make additional pro rata assessment to supply such deficiency.

SECTION 12. Any owner of property against which an assessment shall have been made for the cost of said improvement, shall have the right, at any time prior to the issuing of the bonds therefor, to pay the same in full, with the interest, if any, then accrued thereon, at not to exceed seven per cent. from the time said assessment was so made; or, after having paid one or more of said ten installments, and the interest, he may at any time pay the balance of his assessments remaining unpaid, including interest in full. All moneys received from such assessments shall be appropriated under the direction of the board of city commissioners, to the payment of the interest and the redemption of the bonds issued under the authority conferred by section five of this act, for the improvement aforesaid.

Owner: defini-
tion of.

SECTION 13. The term "owner," in this, act shall be so construed as to include all corporations, public, private and municipal.

Mistake in de-
scription of
property, etc.,
not to vitiate
lien, etc.

SECTION 14. No mistakes in the description of the property or in the name of the owner shall vitiate the assessment or lien.

SECTION 15. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

239G

[Senate Bill No. 284.]

AN ACT

To provide for the improvement of streets and avenues in certain cities of the second class.

Permanent im-
provement of
streets in cities
second grade,
second class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the second grade of the second class, the board of city commissioners of any such city shall have authority to cause any of the streets, avenues and highways of said city to be improved with granite block, asphalt pavement, or such other material as to said commissioners shall seem best.

SECTION 2. Said commissioners shall be and are hereby authorized to determine the kind and description of pavement to be used upon any of the said streets, avenues or highways of said city, and for said purpose shall make and enter into contracts for furnishing materials, grading, curbing and paving of said streets, avenues or highways, either for the entire work in one contract, or for parts thereof in separate and specified sections, as to them may seem best, and to superintend and control all work done in pursuance thereof, and to dispose of any surplus material obtained in the grading thereof; provided, that said improvement shall be uniform throughout the length to be improved. And said board of city commissioners shall have full and final authority in any such improvement to, make such change or changes in the grade of any streets, avenues or highways to be improved, as it may deem necessary to best conform the same to such contemplated improvement, and such change of grade shall be published with the advertisement provided for in section 2304; provided, however, that said board of city commissioners, before declaring the necessity of any such improvement, shall have authority to have all necessary sewer, water and gas connections laid from the main line or pipe in said street, avenue or highway to the curbstone, and may include in said improvement such reconstruction of the curb as it may deem necessary.

City commissioners ordered to determine kind of pavement, make contracts, etc.

SECTION 3. The owner of a lot or lands bounding or abutting upon any such improvement, shall file his claim for damages as provided in section 2315, or be barred, as therein provided from filing a claim, or from receiving damages, and all questions pertaining to such claims for damages, or adjustment of or compensation for the same, shall be governed by the provision of the law now applicable to like claims, except that in all cases concerning the class of improvements herein provided for, the board of city commissioners shall take the place and authority therein of the council.

Filing of claims for damages.

SECTION 4. Said board of city commissioners shall cause to be made plans and specifications of said work, together with an estimate of the cost of the same including the material to be furnished therefor, and shall submit the same to the city council of such city, with its recommendation, and a resolution or ordinance as the case may be, declaring the necessity of such improvement or providing therefor. Upon the passage by council of the resolution or ordinance it shall be the duty of the board of city commissioners to advertise for proposals in accordance therewith.

City commissioners to submit resolution or ordinance to council.

SECTION 5. All contracts shall be made by the city commissioners in the name of the respective city, and shall be made with the lowest bidder or bidders, upon sealed proposals, after public notice in two or more newspapers of opposite politics of said city, and in such other newspapers as said commissioners may select, which notice shall contain a description of the kind and amount of the work to be done and materials to be furnished, as nearly accurate as practicable, and the terms of payment, which shall be fixed by said commissioners.

Contracts: must be let to lowest bidder, etc.

Contractor to
give bond.

SECTION 6. Each contractor shall be required to give bond to such city, with sureties to be approved by said commissioners, for the faithful performance of his contract, and said commissioners shall have power to institute suit in the name of the said city to enforce all contracts made by them.

Contracts to be
paid out of re-
spective funds.

SECTION 7. All contracts made by said commissioners for the payment of money shall provide for the payment out of the funds hereinafter provided for such improvement.

City engineer's
duties.

SECTION 8. It shall be the duty of the city engineer of such city to furnish to said commissioners the proper grades and lines, and to see that the work is done in accordance with the ordinance and regulations of the city as to the grades and lines.

Acceptance of
work.

SECTION 9. As soon as the grading and paving of said street, avenue or highway, or any section thereof, shall have been completed to the satisfaction of said commissioners, they shall notify the city engineer of the fact, and said street, avenue or highway, or part thereof, shall thereafter be under the control of said board of city commissioners.

Material re-
moved to be-
long to city.

SECTION 10. All material necessary to be removed from any street, avenue or highway, where such improvement is to be made, shall belong to the city, and shall be taken up and removed from the line of work and be deposited where said board of city commissioners shall direct.

Cost to be as-
sessed on abut-
ting property.

SECTION 11. Except as provided in section 12 of this act, the cost of any such improvement shall be assessed equally per front foot upon the property abounding and abutting upon said improvement, except that at the intersections of streets, avenues and highways, the cost of such improvement shall be paid by the city at large, as hereinafter provided.

Assessments
on street rail-
road com-
panies.

SECTION 12. On all streets, avenues and highways upon and along which any street railroad has been constructed and is being operated, or may hereinafter be constructed and operated, the cost of any such improvement shall be assessed and paid as follows, to-wit: The cost of that part of such improvement lying within the tracks of such railroad and for the space of not less than eighteen inches on either side of the same, and where there are double tracks also that part of such improvement lying between such double tracks, including the intersections of streets, avenues and highways, shall be assessed against and paid by such street railroad company or companies. The cost of the residue of such improvement upon any such streets, avenues or highways, shall be assessed equally per front foot upon the abutting property as provided in section 11 of this act, except that at the intersections of such streets, avenues and highways the expense of such improvement lying without such railroad tracks, and for a space of eighteen inches on either side thereof, shall be paid by the city at large, as provided in section 11 of this act.

Bonds : to be
issued by com-
missioners.

SECTION 13. For the purpose of providing for the payment of the cost and expense of said improvements, the said commissioners shall be authorized, from time to time, as the

work progresses, to issue the bonds of the said city in such sums as they may deem best, and it shall be the duty of said commissioners to make and execute bonds in the name of said city to an amount not exceeding the amount of the contracted price of said work and the incidental expenses attending the same. Said bonds shall bear the name of the street, avenue or highway improved, they shall be signed by the president of the board of city commissioners and countersigned by the city auditor and sealed with the seal of said city auditor. They shall bear interest at a rate not exceeding seven per centum per annum, payable semi-annually from date; the principal and interest to be payable at such place as may be designated by said city commissioners. Said commissioners shall be authorized to negotiate and dispose of said bonds in the manner as is provided in section 2709 of the Revised Statutes, and for such prices as may be obtained for the same, not less than par, and shall pay all moneys received therefrom to the treasurer of said city, and report to the city auditor the number of bonds sold and the amount received therefor.

Name.

Interest.

Where payable.

Sale.

SECTION 14. In order to provide a fund for carrying on said improvement and paying so much of the cost thereof, as is herein provided to be paid by the city at large, it shall be lawful for said board of city commissioners to issue bonds, in an amount not to exceed the sum of one hundred and fifty thousand (\$150,000) dollars, in the name of said city; said bonds shall be issued from time to time, as the work progresses, and in such denominations as may be determined by said commissioners, and shall be made payable in not less than ten and not more than thirty years from the date of their issue and bear interest at a rate not exceeding five per centum per annum. Said bonds shall be signed by the president of said board of city commissioners and attested and sealed by the city auditor, and shall be secured by the pledge of the faith of the city and the tax which it shall be the duty of the city council of said city annually to levy upon all the taxable property of said city, and certify the same to the county auditor upon a certificate to that effect from the said board of city commissioners as to the amount necessary to pay thereon, and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

Special issue of bonds authorized.

Levy of tax.

SECTION 15. All moneys so received by the city treasurer shall be kept by him in a separate fund and shall be paid out by him as provided in section 1707d-27 of the act passed by the general assembly of Ohio, March 18, 1890, entitled an act to amend and supplement section 1707, as amended March 21, 1887, of the Revised Statutes of Ohio.

Moneys to be kept in separate fund.

SECTION 16. When the improvement herein provided for shall have been completed, it shall be the duty of said commissioners to ascertain the entire amount of the bonds sold by them and the interest thereon to the first day of October preceding, which shall be taken to be the cost of said improvement. Said cost shall then be assessed equally per front foot upon the property fronting or abutting upon said improvement. And they shall also designate therein the

Assessment of cost on completion of improvement.

name of any street railroad lying upon or along the line of such improvement and the amount, if any, assessed against the same.

Publication of
assessments,
etc.

SECTION 17. Said commissioners shall cause a plat of said street, avenue or highway to be prepared, showing the separate lots of ground and the names of the several owners, and shall make, or cause to be made, a list or schedule of the names of all owners and the amount assessed against each lot or piece of ground, and they shall likewise designate therein the name of any street railroad or railroads lying upon and along the line of such improvement and the amount, if any, assessed against and to be paid by the same. They shall give two weeks' public notice by advertisement in two newspapers of opposite politics in such city, of the time and place where, for the period of twenty days thereafter, the same may be seen for the correction of errors, and after having corrected such errors as may be made known to them they shall file the same in the office of the city auditor and shall deliver a copy of said plat and schedule to the auditor of the county in which said city is situated.

Filing of plat.

Assessment:
payment of.

SECTION 18. Said assessment shall be placed upon the duplicate of the county and shall be payable at the office of the county treasurer in ten equal annual installments, with interest, at a rate not to exceed seven per centum per annum, upon the unpaid portion thereof, the first of which, with interest on the whole amount, at not to exceed seven per cent., shall be payable at the first semi-annual payment of taxes next succeeding the time said assessment is placed on said duplicate, and the other annually thereafter, with interest on the installments not due at the time until all are paid, and said assessment shall be collected like other taxes.

To be a lien.

SECTION 19. Said assessments with the interest accruing thereon, shall be a lien upon the property abutting upon said street, avenue or highway, and also upon the property of any such street railroad, from the commencement of the work, and shall remain a lien until fully paid. They shall have precedence over all other liens, and shall not be divested by any judicial sale.

May be made
before work is
done.

SECTION 20. The board of city commissioners may, if it deems expedient, cause the assessments to be made and collected before the work is done or contracted for, and if an assessment proves insufficient to pay for the improvement and expenses incident thereto the said board of city commissioners may, under the limitations prescribed for such assessments, make an additional pro rata assessment to supply such deficiency.

Right of prop-
erty-owner to
pay same in
full at any
time.

SECTION 21. Any owner of property against which an assessment shall have been made for the cost of said improvement shall have the right at any time prior to the issuing of the bonds therefor to pay the same in full, with the interest, if any, then accrued thereon, at not to exceed seven per cent. from the time said assessment was so made; or after having paid one or more of said ten installments and the interest, he may, at any time, pay the balance of his assessments remain-

ing unpaid, including interest in full. All moneys received from such assessments shall be appropriated under the direction of the board of city commissioners of such city to the payment of the interest and redemption of the bonds which may be issued for said improvement, and if any interest shall become due on said bonds where there is no fund to pay the same, the city commissioners shall be authorized to make a temporary loan for the purpose of paying the same.

Establishment of fund; loan in case of deficiency.

SECTION 22. The court of common pleas shall have jurisdiction to enforce payment of such assessments, notwithstanding the amount involved shall be less than that to which the jurisdiction is limited in other cases, and such courts may make such special rules concerning the class of cases authorized by this act for the collection of such assessments as will tend to expedite their disposition and prevent unnecessary cost.

Common pleas court to have jurisdiction.

SECTION 23. The term "owners" in this act shall be so construed as to include all corporations, public, private and municipal.

Owners: defined.

SECTION 24. No mistakes in the description of the property or in the name of the owner shall vitiate the lien.

Lien not vitiated.

SECTION 25. A part or section of a street may be improved under this act as well as an entire street, avenue or highway.

Part of a street may be improved.

SECTION 26. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

240G

[Senate Bill No. 293.]

AN ACT

To authorize any city of the second class and third grade containing a population of 18,113 at the last federal census, or that by any subsequent federal census may have such population, to issue bonds for the purpose of laying mains and extending and increasing water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the second class and third grade, containing a population of eighteen thousand one hundred and thirteen at the last federal census, or that by any subsequent federal census may have such population, be and is hereby authorized to issue bonds upon its corporate credit in such amounts as its council, by ordinance as hereinafter provided, may determine, not exceeding fifty thousand dollars, for the purpose of laying mains and extending and increasing the water-works in such cities.

Certain cities authorized to issue bonds for extension of water-works.

SECTION 2. Said bonds shall be issued in such amounts and at such times as said council may prescribe by ordinance.

Bonds: amounts, etc.

Sale; time;
interest, etc.

SECTION 3. Said bonds shall be sold at not less than par value and shall be issued in such denominations, made to run not more than twenty years, and redeemable at such times as said council shall provide and shall bear a rate of interest not exceeding five per centum per annum, interest payable semi-annually.

Levy of tax.

SECTION 4. That, for the purpose of paying said bonds and the interest thereon as the same shall mature and become due, the council of said city is hereby authorized to levy, annually, a tax not to exceed two mills on the dollar upon all the taxable property in such city in addition to the amount already allowed to be levied by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
241G

[Senate Bill No. 305.]

AN ACT

To authorize cities of the first grade of the second class, to issue bonds to raise money to change the fire department system of said cities to one for the use of steam fire engines and to supply deficiencies in the fire departments of said cities.

Certain cities
authorized to
issue bonds to
purchase
steam fire en-
gines, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the councils of cities of the first grade of the second class be and they are hereby authorized to issue the bonds of said cities in denominations of one thousand dollars each in any sum not to exceed one hundred and fifty thousand dollars, for the purpose of raising money to purchase the necessary steam fire engines and to build to remodel the necessary buildings, to furnish the necessary equipments of all kinds in order to change the fire department system of said cities to one for the use of steam fire engines, and also to issue the bonds of said cities in like denominations in any sum not to exceed fifty thousand dollars to meet and to supply the deficiencies in the fire department of said cities, all of said bonds shall run for any period not to exceed thirty years and bear such rate of interest as said councils determine not to exceed six per centum per annum payable semi-annually.

Bonds; how is-
sued; sale of;
interest, etc.

SECTION 2. Said bonds shall be issued and sold as other bonds of said cities. They shall be designated fire department steam engine equipment bonds, or fire department deficiency bonds, according to the purpose for which they are issued, and the proceeds of the said bonds shall be applied exclusively to the purpose for which they are issued.

Levy of tax.

SECTION 3. For the purpose of paying the principal and interest of said bonds, said councils are hereby authorized

and empowered to levy annually upon all the taxable property of said cities a tax sufficient in rate and amount to pay said interest as it accrues, and to provide a sinking fund with which to pay said principal at maturity, and said tax may be additional in rate and amount to all other taxes levied by said cities under authority of law.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
 242G

[Senate Bill No. 76.]

AN ACT

To amend section 1166 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1166 of the Revised Statutes be and the same is hereby amended, so as to read as follows:

County surveyor:

May appoint deputies, for whose acts he is responsible.

Salaries in county containing a city of the first grade, first class.

Sec. 1166. He may appoint deputies not exceeding three, and take from them such bond as he requires, and he shall be responsible for their official acts; all surveys made by any deputy shall be signed by such deputy and countersigned by the county surveyor, and when so signed and countersigned shall have the same validity and effect as the surveys of the county surveyor; provided, however, that in any county containing a city of the first grade of the first class, the county surveyor is hereby empowered, in addition to other appointments now authorized by law, to appoint the following assistants, at salaries not exceeding amounts herein named: Two assistant engineers at one hundred and seventy-five dollars per month each, four rod-men at seventy-five dollars per month each, two inspectors at one hundred dollars each, and one clerk at ninety dollars per month, as the same may, in his judgment, be required; and upon a certificate from the county surveyor, approved by the board of control of such county, the county auditor shall draw his warrant for such salaries upon the county treasurer, payable to the person entitled thereto; and said county treasurer shall thereupon pay the same out of the county funds of said county. In any such county the board of county commissioners shall appoint the county surveyor to do all the county work requiring the services of a surveyor or engineer, and for such services said county surveyor shall receive a salary of two hundred and fifty dollars per month, payable out of the county funds by the county treasurer, on the warrant of the county auditor; and said board of county commissioners shall have no authority to appoint any other person therefor, but all such duties shall devolve upon the county surveyor or his assistants; and the term of office of any person heretofore appointed by the board of county commissioners to any such position shall

cease upon the appointment and qualification[s] of their successors under this act.

Repeal.

SECTION 2. Original section 1166 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
243G

[Senate Bill No. 42.]

AN ACT

To amend section 2113 of the Revised Statutes of Ohio, as amended March 26, 1890.

Board of health:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2113 of the Revised Statutes of Ohio, as amended March 26, 1890, be so amended as to read as follows:

How established and constituted in certain municipalities.

Sec. 2113. The council of each city and village having a population of five hundred or more, shall establish a board of health; such board shall be composed of the mayor, who shall be president by virtue of his office, and six members to be appointed by the council, not more than two of whom shall be medical practitioners, who shall serve without compensation, and a majority of whom shall constitute a quorum. Provided, that none of the provisions of this section shall apply to cities of the first grade of the first class, or to cities of the first grade of the second class.

Repeal.

SECTION 2. That section 2113 of the Revised Statutes, as amended March 26, 1890, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
244G

[Senate Bill No. 44.]

AN ACT

To amend sections 5997, 6023, as amended April 16, 1885 (82 O. L. p. 130), 6044 and 6074, of the Revised Statutes of Ohio, relating to inventories of estates.

Executors and administrators:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 5997, 6023, as amended April 16, 1885, 6044 and 6074 of the Revised Statutes of Ohio be amended so as to read as follows:

Sec. 5997. If the executor is residuary legatee, he may, instead of the bond prescribed in the preceding section, give bond in a sum and with two or more sureties to the satisfaction of the court with condition to pay all the debts and legacies of the testator, and to pay over said estate to the persons entitled thereto, in case the will be at any time set aside; but the executor shall not be liable for legacies paid to legatees other than himself, after eighteen months from the probating of the will and before an action to set the same aside has been commenced; the legatee, however, shall be liable to repay the legacy and interest thereon if the will be set aside.

Different bond may be given when the executor is residuary legatee.

Liability of executor for legacies.

Sec. 6023. Every executor or administrator shall, within three months after his appointment, make and return upon oath, into court, a true inventory of all the goods, chattels, moneys, rights and credits of the deceased, which are by law to be administered, and which shall have come to his possession or knowledge; but if the probable value thereof be less than one hundred dollars the court may direct the same to be omitted, provided, that if his predecessors have so done, an administrator de bonis non shall not be required to return and file an inventory, unless, in the opinion of the probate court the same is necessary. The word "inventory" in this chapter shall include an appraisement.

Inventory of executors or administrators, and of administrators de bonis non.

Sec. 6044. Upon the completion of the inventory it shall be signed by the appraisers, and a copy thereof shall be retained by the executor or administrator, and he shall return the original to the probate court, and said court shall, at the end of each month, deliver to the county auditor, a statement showing as to each inventory the aggregate value of each class of property other than real, as shown by the inventories filed during that month, for his use and the use of the proper board of equalization, in the performance of their respective duties in relation to returns for taxation of personal property, moneys, rights and credits, and the equalizing and correction of the same; and any taxes or penalty lawfully placed on any duplicate, or added by the county auditor or board of equalization within nine months from the time of filing said inventory with the probate court, because of a failure to make a true return, or of making a false return for taxation, shall be a debt of the decedent, and paid and have the same priority as other taxes, and no distribution, or payment of inferior debts or claims, shall relieve the executor, or administrator, or their sureties from liability to pay such tax and penalty, and for making said statements, but no such tax or penalty shall be added before notice to the executor or administrator, and an opportunity is given him to be heard; the probate judge shall be entitled to the same compensation as for other like services, to be taxed as a part of the costs of administering such estate; provided however, that no percentage, nor any part of any increased tax on the property of any such estate, covered by any such inventory, shall be allowed, or paid to any person or persons, under any contract for securing for taxation, or putting on the tax list or duplicate, property improperly or otherwise omitted, or not listed or returned for taxation, nor shall any compensation of any kind be allowed or paid to any such

Inventory to be signed by appraisers, etc.

Monthly statement of probate court to county auditor.

Priority of lien for taxes.

Fees of probate judge.

No additional compensation to be allowed for information as to omission, etc.

person by reason of the omission of any of the property of any such estate, or any of the property included, in any such inventory, from any tax return, nor for any services relating thereto, under, or by reason of any such contract.

What personal property the executor or administrator may sell, and when.

Sec. 6074. The executor or administrator shall, within three months after the date of his bond, sell the whole of the personal property belonging to the estate, which is liable to the payment of debts and is assets in his hands to be administered, except promissory notes, and claims, demands, and rights in action which can be collected by him, and except bonds and stocks when the sale of them is not necessary for the payment of debts; and also except the following:

First—Such as the widow may desire to take at the valuation made by the appraisers, she securing payment to the executor or administrator therefor as other purchasers.

Second—Such property as is specifically bequeathed shall not be sold until the residue of the personal estate has been sold, and is found by the executor or administrator to be insufficient for the payment of the debts of the estate.

When appraisement and sale of personal property not required.

Third—The executor or administrator may defer the sale of the emblements or annual crops raised by labor, which were not severed from the land of the deceased at the time of his death, beyond the three months herein prescribed for the sale of the assets; and the same may be sold before or after they are severed from the land at the discretion of the executor or administrator, and in the mode prescribed for the sale of other goods and chattels; provided, however, that when by the terms of any last will the testator shall express a wish that there be no sale of his personal property, the court admitting the will to probate may, at its discretion, direct the omission thereof, and may, also, at any subsequent period, upon the application of any party interested, require and for good cause shall require, such sale to be made.

SECTION 2. That sections 5997, 6023, as amended April 16, 1885 (82 O. L., p. 130), 6044 and 6074 of the Revised Statutes be and are repealed; and this act shall take effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate

Passed April 25, 1890.
245G

[Senate Bill No. 313.]

AN ACT

To authorize cities of the fourth grade, second class, which at the last or any subsequent federal census had or shall have a population of 6252, to sell bonds at private sale.

Certain cities authorized to dispose of bonds at private sale.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the fourth grade second class, which at the last or any subsequent federal

ensus had or shall have a population of 6252, after having duly advertised and offered for sale, the bonds of any such city as provided in section 2709 of the Revised Statutes and such bonds, or any part thereof, remain unsold, may sell such bonds, or any part thereof, remaining unsold, at private sale, at not less than their par value, and such private sale shall be made under the direction of the council, or agent duly authorized by said council.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
246G

[Senate Bill No. 314.]

AN ACT

to authorize cities of the first grade of the second class to issue bonds for gas and light purposes and to levy a tax to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for gas and light purposes the councils of cities of the first grade of the second class be and they are hereby authorized and empowered to issue the bonds of said cities in sum not to exceed in the aggregate seventy thousand dollars. Said bonds shall be issued in denominations of one thousand dollars each, shall run for ten years, shall bear interest at a rate not to exceed six per centum per annum payable semi-annually as said councils determine. Said bonds shall be designated, issued and sold in all respects as the other bonds of said cities.

Authorizing
certain cities
to issue bonds
for gas and
light purposes.

SECTION 2. To pay the interest on said bonds and to provide a sinking fund to pay the principal thereof at maturity, said councils are hereby authorized and empowered to levy and collect, and shall levy and collect annually a tax sufficient in rate and amount upon all the taxable property of such cities, and said tax may be additional in rate and amount to all other taxes authorized to be levied and collected by said cities.

Levy of tax.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
247G

[House Bill No. 570.]

AN ACT

Making appropriations for the last three-quarters of the fiscal year ending November 15, 1890, and the first quarter of the fiscal year ending February 15, 1891.

General appropriations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the treasury to the credit of the general revenue fund not otherwise appropriated, the following sums for the purposes hereinafter specified, to-wit:

Adjutant General's Department:

Salary of assistant clerk, four hundred dollars (\$400.00).

Salary of four transcribing clerks, thirty-six hundred dollars (\$3,600 00).

Contingent expenses and inspection, twelve hundred dollars (\$1,200 00).

Repairs of state arsenal, seven hundred dollars (\$700.00).

Care of military stores, and freight on arms, nine hundred dollars (\$900.00).

For making soldiers' roster Ohio troops for publication, ten thousand dollars (\$10,000.00).

Transportation indigent soldiers, fifty dollars (\$50.00).

For expenses of shipping roster Ohio troops, five hundred dollars (\$500.00).

Ohio National Guard:

Pay O. N. G. in camp, thirty thousand dollars (\$30,000.00).

Transportation O. N. G., twelve thousand dollars (\$12,000.00).

Subsistence O. N. G., twelve thousand dollars (\$12,000.00).

Incidental expenses military companies, thirteen thousand dollars (\$13,000 00).

Horse hire for batteries, four thousand dollars (\$4,000.00).

Forage for horses, four hundred dollars (\$400 00).

Uniforms, overcoats and blankets, seven thousand and five hundred dollars (\$7,500.00).

Fuel, lumber, straw, medical supplies and rent of camp, three thousand dollars (\$3,000).

State House and Grounds:

Salary of two firemen, four hundred dollars (\$400.00).

Salary of four regular laborers, nineteen hundred dollars (\$1,900.00).

Extra labor, one thousand dollars (\$1,000.00).

Material and repairs, one thousand dollars (\$1,000.00).

Fuel for state house, nine hundred dollars (\$900.00).

Care and repair of heating apparatus, six hundred dollars (\$600.00).

New walks and repairs, eight thousand dollars (\$8,000.00). General appropriations.

For new pipes and concrete in basement of state house, twelve hundred dollars (\$1,200.00).

Ohio State Board of Agriculture:

Encouragement of agriculture, five thousand dollars (\$5,000.00).

Contingent expenses, eight hundred dollars (\$800.00).

For redemption of bonds due April 1st, 1890, five thousand dollars (\$5,000.00).

For one year's interest on \$50,000.00 bonds authorized to aid Ohio centennial, three thousand dollars (\$3,000.00).

For one year's interest on \$80,000.00, mortgage debt, forty-eight hundred dollars (\$4,800.00).

Agricultural Experiment Station:

Finishing and furnishing museum and library, six hundred dollars (\$600.00).

Equipment of chemical laboratory, one thousand dollars (\$1,000.00).

Repairs and addition to barn and dynamo or engine, twelve hundred dollars (\$1,200.00).

Laboratory of entomologist and botanist, two hundred dollars (\$200.00).

Expenses of board of control, two hundred dollars (\$200.00).

Attorney-General:

Salary of clerk, two hundred dollars (\$200.00).

Contingent expenses, four hundred dollars (\$400.00).

Fees on collections, one thousand dollars (\$1,000).

Auditor of State:

Contingent expenses, fifteen hundred dollars (\$1,500.00).

Extra clerk hire for decennial appraisement of real estate, fifteen hundred dollars (\$1,500.00).

Board of Health:

General expenses of board, thirty-seven hundred dollars (\$3,700.00).

Board of Live Stock Commissioners:

General expenses of board, three thousand dollars (\$3,000.00).

Board of Pardons:

Expenses of board, three hundred dollars (\$300.00).

General appro-
priations.*Board of State Charities:*

Expenses of board, twenty-four hundred dollars (\$2,400.00).

Board of Public Works:

Miami and Erie canal, keeping in repair and improvement of, all of its earnings except as below appropriated, and its balances.

Northern division Ohio canal, keeping in repair and improvement of, all of its earnings, except as below appropriated, its balances and twenty-four thousand dollars (\$24,000.00).

Southern division Ohio canal, keeping in repair and improvement of, all of its earnings, except as below appropriated, its balance and twenty-two thousand dollars (\$22,000.00).

Hocking canal, keeping in repair, all of its earnings, balance and fifteen hundred dollars (\$1,500.00).

Walhonding canal, all of its earnings and balance.

Contingent expenses, five hundred dollars (\$500.00).

Attorney's fees, to be paid out of the earnings of the canal for which service is rendered, two thousand dollars (\$2,000.00).

Members' traveling expenses for each, to be paid according to law, equally, out of the earnings of each division, six hundred dollars (\$600.00).

Salary of secretary, fifteen hundred dollars (\$1,500.00).

For clerk hire, seven hundred dollars (\$700.00).

For furniture and repairs, one hundred dollars (\$100.00).

Bureau of Statistics of Labor:

Clerk hire, thirteen hundred dollars (\$1,300.00).

Contingent expenses, sixteen hundred dollars (\$1,600.00).

Traveling expenses, four hundred dollars (\$400.00).

Canal Commission:

Salaries of members, one hundred and sixty dollars (\$160.00).

Expenses of commission, thirteen hundred and forty dollars (\$1,340.00).

State Common School Commissioner:

Traveling expenses, five hundred and fifty dollars (\$550.00).

Contingent expenses, five hundred and fifty dollars (\$550.00).

For per diem and expenses of state board of school examiners, six hundred dollars (\$600.00).

*Commissioner of Railroads and Telegraphs:*General appro-
priations.

Inspectors to examine bridges, structures and railroad appliances, three hundred and fifty dollars (\$350.00).

Expenses outside, one hundred and fifty dollars (\$150.00).

Contingent expenses, three hundred dollars (\$300.00).

Ohio Dairy and Food Commissioners:

Expenses of chief commissioner, three hundred and seventy-five dollars (\$375.00).

Expenses of assistant commissioners, nine hundred dollars (\$900.00).

Compensation of chemist, six hundred dollars (\$600.00).

Executive Department:

Contingent expenses, newspapers and clerk hire, fifteen hundred dollars (\$1,500.00).

Stenographer, twelve hundred dollars (\$1,200.00).

Fish and Game Commission:

Fish propagation, and prosecution of violators of fish and game laws, expenses of commissioners and salaries of wardens, six thousand dollars (\$6,000.00).

Provided however not more than \$4,000 of said \$6,000 shall be expended for expense of prosecutions and salaries of wardens.

Chagrin Falls hatchery, for propagation of fish in internal streams of the state, two thousand dollars (\$2,000.00).

State Forestry Bureau:

Expenses of bureau, six hundred dollars (\$600.00).

Horticultural Society:

Horticultural society, promotion of horticulture, pomology, etc., one thousand dollars (\$1,000.00).

For Decennial Board of Equalization:

Compensation of members of the board at a rate not exceeding five dollars per day, while in actual attendance at the sessions of the board, nine thousand dollars (\$9,000.00).

Mileage of members of the board, to be computed at twelve cents per mile, by the nearest route to and from the capitol, nine hundred and twenty-five dollars (\$925.00).

Compensation of officers, pages and employes, said compensation to be fixed by the board, twelve hundred dollars (\$1,200.00).

Contingent expenses, four hundred dollars (\$400.00).

The secretary of state shall provide said board with all stationery necessary for the proper discharge of their duties.

General appropriations.

Inspector of Mines:

Contingent expenses, twenty-three hundred dollars (\$2,300.00).

Clerk hire, six hundred dollars (\$600.00).

Scientific instruments, five hundred dollars (\$500.00).

Attorney's fees, one hundred dollars (\$100.00).

Inspector of Workshops and Factories:

Traveling expenses of chief inspector, five hundred dollars (\$500.00).

Traveling expenses of district inspectors, thirteen hundred dollars (\$1,300.00).

Clerk hire, one thousand dollars (\$1,000.00).

Contingent expenses, five hundred and fifty dollars (\$550.00).

Furniture and repairs, one hundred dollars, (\$100.00).

Scientific instruments, two hundred and fifty dollars (\$250.00).

Attorneys' fees, one hundred dollars (\$100.00).

Judiciary:

Salary of judges, twenty-five hundred dollars (\$2,500.00).

Legislature:

For Frederick Blenkner, third assistant sergeant-at-arms of the house, for taking charge of the senate chamber and hall of the house and committee rooms, after the adjournment of the general assembly in the spring of 1890, and taking care of the same until the meeting of the general assembly in January, 1891, and preparing the same for said meeting, and for taking care of the bill-books, and other property of the members as requested by them, one thousand dollars (\$1,000.00) to be paid to him at the rate of four dollars (\$4.00) per day, on the warrant of the auditor of state. For an assistant for said Frederick Blenkner, in the performance of the foregoing duties, at the rate of two dollars per day, when by him necessarily employed, four hundred dollars (\$400.00), to be paid to said assistant on the warrant of the auditor of state (\$1,400.00).

Contingent expenses of clerk of senate, one hundred dollars (\$100.00).

Contingent expenses of clerk of house, one hundred and twenty-five dollars (\$125.00).

For chief clerks of the senate and house of representatives, one thousand dollars each (\$1,000.00) for completing the record of the journals of the senate and house of representatives for the present session. The money thus appropriated to be paid at the rate of five dollars per day, as the work of completing said record progresses; but the full amount shall not be paid until the work is fully completed; and the auditor of

state is hereby authorized to draw his warrant, from time to time, on the treasurer of state in favor of said clerks upon the presentation by them of proper vouchers, duly certified by said clerks to be correct, for such sum as may be therein designated, until the aforesaid sum of one thousand dollars to each shall have been fully paid (\$2,000.00).

General appropriations.

For salaries, and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes, while the general assembly is in session, and the payment of the clerks of the house and senate after adjournment; as provided in sections 39, 43 and 45, of the Revised Statutes, thirty-five thousand dollars (\$35,000.00).

House contingent fund, six hundred dollars (\$600.00).

Senate contingent fund, six hundred dollars (\$600.00).

Expense legislative committees, seven hundred dollars (\$700 00).

Law Librarian:

Statutes of states and books for library, one thousand dollars (\$1 000.00).

Telephone, sixty dollars (\$60.00).

Electric light for entire department, three hundred dollars (\$300.00).

Shelving, furniture, painting, repairs and carpets, two hundred and fifty dollars (\$250.00).

Ohio Meteorological Bureau:

Expenses of, fifteen hundred dollars (\$1,500.00).

Miami University:

Grounds, two hundred dollars (\$200.00).

Library, eight hundred dollars (\$800 00).

Repair of buildings, six hundred dollars (\$600.00).

Salary of treasurer, three hundred dollars (\$300.00).

Apparatus, six hundred dollars (\$600.00).

Salaries, three thousand dollars (\$3,000.00).

Laboratory, ten thousand dollars (\$10,000.00).

Ohio Penitentiary:

Salaries of officers, seventeen thousand dollars (\$17,000.00).

Salaries of guards, fifty-four thousand dollars (\$54,000.00).

Current expenses, ninety-four thousand dollars (\$94,000.00).

Carpets and furniture, three hundred dollars (\$300.00).

Expenses of execution, eleven hundred dollars (\$1,100 00).

Improvement of front yard, one hundred dollars (\$100.00).

Improvement lights, two hundred dollars (\$200.00).

Improvement streets, two hundred dollars (\$200.00).

General appropriations.

Library, one hundred dollars (\$100.00).
 Manufacture of gas, nine thousand dollars (\$9,000.00).
 Moral and religious instruction, two hundred dollars (\$200.00).
 Repairs, fourteen thousand dollars (\$14,000.00).
 Rewards, five thousand dollars (\$5,000.00).
 Sewerage and water-works, three thousand dollars (\$3,000.00).
 Prosecution and transportation of convicts, eighty-eight thousand dollars (\$88,000.00).
 For fire protection, two thousand dollars (\$2,000.00).

Ohio State University:

Ordinary repairs, three thousand dollars (\$3,000.00).
 For salaries, two thousand dollars (\$2,000.00).
 Fuel and care of buildings, three thousand dollars (\$3,000.00).
 Improvement of campus, five hundred dollars (\$500.00).
 Green-house, six hundred dollars (\$600.00).
 Library, two thousand dollars (\$2,000.00).
 Equipment and support of school of mines, thirty-five hundred dollars (\$3,500.00).
 Additional boiler, improvement heating system, and new gas holder, sixty-five hundred dollars (\$6,500.00).

State Geologist:

State geologist salary, assistants and expenses as provided by act passed April 12, 1889 (O. L. vol. 86, p. 262), one thousand dollars (\$1,000.00).

Ohio University:

Trustees' expenses, three hundred and twenty-five dollars (\$325.00).
 Current expenses and repairs, twelve hundred dollars (\$1,200.00).
 Library and reading room, six hundred dollars (\$600.00).
 Salaries of teachers, forty-five hundred dollars (\$4,500.00).
 Department of mathematics, two hundred dollars (\$200.00).
 Department of natural science, two hundred and fifty dollars (\$250.00).
 Department of physics and chemistry, three hundred dollars (\$300.00).
 Improvement of grounds, two hundred dollars (\$200.00).
 Heating main building, eleven hundred dollars (\$1,100.00).
 Department of pedagogy, two thousand dollars (\$2,000.00).

Secretary of State:

Salary stenographer, eight hundred dollars (\$800.00).
 Extra clerk hire, twelve hundred dollars (\$1,200.00).

Distribution of books, fifteen hundred dollars (\$1,500.00). General appropriations.

Contingent expenses, fourteen hundred dollars (\$1,400.00).

Printing paper, twenty-three thousand dollars (\$23,000.00).

Stationery, five thousand dollars (\$5,000.00).

Furniture, painting and repair, one hundred dollars (\$100.00).

For additional salary of superintendent of book-room, two hundred dollars (\$200.00).

State Library:

Books, magazines and newspapers, twelve hundred dollars (\$1,200.00).

For manuscript catalogue of books accumulated since 1882, five hundred dollars (\$500.00).

Contingent expenses, four hundred and fifty dollars (\$450.00).

Renovating library, furniture and repairs, four hundred and seventy five dollars (\$475.00).

For expense in preparing and distributing advance sheets of federal census of Ohio for 1890, five hundred dollars (\$500.00).

Superintendent of Insurance:

Salaries of extra clerks, nine hundred dollars (\$900.00).

Contingent expenses, twelve hundred dollars (\$1,200.00).

Salary of actuary, two hundred and fifty dollars (\$250.00).

For additional salary of book-keeper, three hundred dollars (\$300.00).

Supervian of Public Printing:

State printing, twenty-five thousand dollars (\$25 000.00).

State binding, twenty-seven thousand seven hundred dollars (\$27,700.00).

Contingent expenses, one hundred and seventy-five dollars (\$175.00).

Supreme Court:

Painting, papering and repair, court and consultation rooms, five hundred dollars (\$500.00).

Carpets, furniture and repair, two hundred dollars (\$200.00).

Clerk of Supreme Court:

Extra clerks, eight hundred dollars (\$800.00).

Contingent expenses, two hundred dollars (\$200.00).

File cases, furniture and repairs, two hundred dollars (\$200.00).

Treasurer of State:

Contingent expenses, three hundred and fifty dollars (\$350.00).

General appropriations.

Collecting auditor of state's drafts, fifteen hundred dollars (\$1,500.00).

Alarm telegraph, forty dollars (\$40.00).

Telephone, fifty dollars (\$50.00).

Carpets, furniture and repairs, three hundred dollars (\$300.00).

Athens Asylum for the Insane:

Current expenses, eighty-three thousand dollars (\$83,000.00).

Expenses of trustees and salary of secretary, seven hundred dollars (\$700.00).

Ordinary repairs, forty-eight hundred dollars (\$4,800.00).

Salary of officers, thirty-five hundred dollars (\$3,500.00).

Painting, one thousand dollars (\$1,000.00).

Carpets and furniture, eight hundred dollars (\$800.00).

Grading, five hundred dollars (\$500.00).

Fencing, two hundred dollars (\$200.00).

Horses, wagons and carriages, four hundred dollars (\$400.00).

Books and pictures and daily newspapers, two hundred dollars (\$200.00).

Water filters, twenty-five hundred dollars (\$2,500.00).

Cleveland Asylum for the Insane:

Current expenses, seventy-eight thousand dollars (\$78,000.00).

Salary of officers, thirty-nine hundred dollars (\$3,900.00).

Ordinary repairs, two thousand dollars (\$2,000.00).

Books and newspapers, one hundred and fifty dollars (\$150.00).

Trustees' expenses and salary of secretary, six hundred dollars (\$600.00).

Painting, one thousand dollars (\$1,000.00).

Fences, two hundred dollars (\$200.00).

Two wagons, two hundred dollars (\$200.00).

Purifying water supplies, twenty-five hundred dollars (\$2,500.00).

Repaving court, sixteen hundred dollars (\$1,600.00).

Carpets, furniture and repairs thereof, eight hundred dollars (\$800.00).

Columbus Asylum for the Insane:

Current expenses, one hundred and ten thousand dollars (\$110,000.00).

Salary of officers, forty-one hundred dollars (\$4,100.00).

Ordinary repairs, including conservatory and propagating houses, five thousand dollars (\$5,000.00).

Expenses trustees and salary of secretary, five hundred dollars (\$500 00). General appropriations.

Grading, five hundred dollars (\$500 00).

Carpets, furniture and bedding, one thousand dollars (\$1,000.00).

Horses, harness, carriages and wagons, six hundred dollars (\$600.00).

Painting, one thousand dollars (\$1,000.00).

Books and newspapers, one hundred dollars (\$100 00).

Fire escape and hose, five hundred dollars (\$500.00).

Shed for farm implements, five hundred dollars (\$500 00).

Building vegetable house, one thousand dollars (\$1,000.00).

Fruit trees, three hundred dollars (\$300.00).

Two buildings for congregate dining-halls, thirty-five thousand dollars (\$35,000 00).

New washing machine, four hundred dollars (\$400.00).

Dayton Asylum for the Insane:

Current expenses, sixty-two thousand dollars, (\$62,000.00).

Salary of officers, thirty-seven hundred and fifty dollars (\$3,750.00).

Ordinary repairs, two thousand dollars (\$2,000.00).

Expenses of trustees and salary of secretary, seven hundred dollars (\$700 00).

Books, pictures and newspapers, one hundred and fifty dollars (\$150.00).

Carpets, bedding and furniture, six hundred dollars (\$600.00).

Painting, five hundred dollars (\$500.00).

Horses and cows, five hundred dollars (\$500.00).

Converting laundry into kitchen, and for constructing a tunnel for water, gas and steam pipes, four thousand dollars (\$4,000.00).

Fencing, two hundred dollars (\$200.00).

Carriages, wagons and harness, two hundred dollars (\$200 00).

Wood-worker machineries, two hundred dollars (\$200.00).

Purchase of adjoining land, nine thousand dollars (\$9,000.00).

Providing, however, that the appropriation for purchase of land is upon this condition, that the acceptance thereof by the trustees of said asylum, they for themselves and successors, agree to sell the land known as the fifty-acre tract, whenever a fair price can be obtained for same, or when such sale may be ordered by the legislature of this state.

Longview Asylum:

Current expenses, ninety-five thousand dollars (\$95,000.00).

General appropriations.

This sum is for the support of the insane in said institution, and shall be paid into the county treasury of Hamilton county, monthly, as may be necessary in payment of the current expenses of said institution. Requisitions shall be made by the directors of said asylum upon the auditor of Hamilton county, and copies thereof furnished to the auditor of state whereupon he shall issue his warrant upon the state treasurer in favor of the treasurer of Hamilton county, for such amounts and said appropriation shall discharge the state from all legal and equitable obligations to said institution for the year commencing February 15, 1890, and ending February 15, 1891.

Fifteen thousand dollars of this sum may be appropriated to pay the deficiency for the year commencing February 15, 1889, and ending February 15th, 1890.

Toledo Asylum for the Insane.

Current expenses, one hundred thousand dollars (\$100,000.00).

Salary of officers, forty three hundred dollars (\$4,300 00).

Ordinary repairs, five thousand dollars (\$5,000.00).

Trustees' expenses and salary of secretary, six hundred dollars (\$600.00).

Painting, twelve hundred dollars (\$1,200 00).

Books and newspapers, three hundred and fifty dollars (\$350.00).

Grading, trees and shrubbery, twelve hundred dollars (\$1,200 00).

Repair shops and tools, six hundred dollars (\$600.00).

Fencing, one thousand dollars (\$1,000.00).

Furniture and furnishing, two thousand dollars (\$2,000.00).

Horses, wagons and harness, seven hundred dollars (\$700.00).

Surgical instruments, one hundred dollars (\$100 00).

Roads and walks, two thousand dollars (\$2,000.00).

Verandas for buildings, fifteen hundred dollars (\$1,500.00).

Addition to and changing buildings, for infirm and for morgue, seven thousand dollars (\$7,000 00).

Amusement hall, sixteen thousand dollars (\$16,000.00).

Boys' Industrial School:

Current expenses, thirty thousand dollars (\$30,000 00).

Salary of officers, eighteen thousand dollars (\$18,000 00).

Trustees' expenses, two hundred dollars (\$200 00).

Ordinary repairs, including painting and cementing basement, thirty-two hundred dollars (\$3,200 00).

Rewards, seven hundred dollars (\$700.00).

Books for boys' library, two hundred dollars (\$200.00).

Grading roads, five hundred dollars (\$500.00).
 Furniture and carpets, eight hundred dollars (\$800.00).
 Horses, carriages and wagons, one thousand dollars (\$1,000.00).
 Laundry machinery, eight hundred dollars (\$800.00).
 Building barn, three thousand dollars (\$3000.00).
 Scales, one hundred and fifty dollars (\$150.00).
 Ice house, two hundred dollars (\$200.00).

General appropriations.

Girls' Industrial Home:

Current expenses, twenty-two thousand dollars (\$22,000.00).
 Salaries of officers and teachers, nine thousand and seven hundred dollars (\$9,700.00).
 Trustees' expenses, two hundred dollars (\$200.00).
 Library, two hundred dollars (\$200.00).
 Telephone, one hundred and fifty dollars (\$150.00).
 Ordinary repairs, twenty-six hundred dollars (\$2,600.00).
 Furniture and carpets, three hundred dollars (\$300.00).
 Fencing, one hundred dollars (\$100.00).
 Expense matron visiting discharged pupils, one hundred dollars (\$100.00).
 Expense of lady visiting committee, one hundred dollars, (\$100.00).
 Purchase horses, wagons, carriages and harness, five hundred dollars (\$500.00).
 Electric light plant, three thousand dollars (\$3,000.00).
 Hose, fire department, three hundred dollars (\$300.00).
 Fruit trees, berries and plants, two hundred dollars (\$200.00).
 Purchase of cows, proceeds of sale of old cows.
 For new frame cottage, for employes, six hundred and fifty dollars (\$650.00).

Provided that the exception granted to the penitentiary in section 782, Revised Statutes of Ohio, shall be extended to the institution for girls' industrial home, so far as relates to appropriation for new frame cottage.

Blind Asylum:

Current expenses, thirty thousand dollars (\$30,000.00).
 Salaries of officers and teachers, nine thousand nine hundred and fifty dollars (\$9,950.00).
 Ordinary repairs, including repair of front steps and furnaces, sixteen hundred dollars (\$1,600.00).
 Books and school apparatus, one thousand dollars (\$1,000.00).
 Carpets, bedding and furniture, eight hundred dollars (\$800.00).

General appropriations.

Steam pipe and heating apparatus, five hundred dollars (\$500.00).

Trustees' expenses, three hundred dollars (\$300.00).

Improvements and repair of grounds, pavements and walks, two thousand dollars (\$2,000.00).

Repairing walls and repairing house and painting, five hundred dollars (\$500.00).

Purchase of horses, one hundred and seventy-five dollars (\$175.00).

Deaf and Dumb Asylum:

Current expenses, forty-one thousand and seven hundred dollars (\$41,700.00).

Ordinary repairs, twenty-five hundred dollars (\$2,500.00).

Salaries of officers and teachers, eighteen thousand dollars (\$18,000.00).

Trustees' expenses, three hundred dollars (\$300.00).

Supplies for shoe shop, nine hundred dollars (\$900.00).

Salary foreman carpenter shop, two hundred dollars (\$200.00).

Supplies for carpenter shop, two hundred dollars (\$200.00).

Supplies for tailor shop, one hundred dollars (\$100.00).

Salary foreman printing office, two hundred dollars (\$200.00).

Printing office supplies, two hundred dollars (\$200.00).

Furniture and carpets, five hundred dollars (\$500.00).

Gas fixtures, two hundred dollars (\$200.00).

New engine, foundation and attachments, eighteen hundred dollars (\$1,800.00).

Lumber and nails for boxing, eight hundred dollars (\$800.00).

Institution for Feeble-Minded Youth:

Current expenses, eighty-four thousand dollars (\$84,000).

Repairs, five thousand five hundred dollars (\$5,500.00).

Salary of officers and teachers, eleven thousand dollars (\$11,000.00).

Expenses of trustees, one hundred dollars (\$100.00).

New boiler and attachments, five thousand dollars (\$5,000.00).

New building for dining-room, work-room, kitchen and store-room, and changing old buildings, twenty thousand dollars (\$20,000.00).

Provided, that the exception granted to the penitentiary in section 782, Revised Statutes of Ohio, shall be extended to the institution for feeble-minded youth so far as relates to appropriations for buildings herein provided for.

*Ohio Soldiers' and Sailors' Home:*General appro-
priations.

Current expenses, five thousand dollars (\$5,000.00).

Salaries of officers, four thousand dollars (\$4,000.00).

Ordinary repairs, five hundred dollars (\$500.00).

Clothing, five thousand dollars (\$5,000.00).

Horses, wagons, carriages and harness, two hundred and fifty dollars (\$250.00).

And in addition to the above sums whatever amount may be paid by the United States government for the support and maintenance of said home, to be distributed to the various funds for subsistence and maintenance, as the board of trustees of said home may direct.

For constructing new buildings, not including amusement hall, improvement of grounds, furniture and furnishing, steam heating, plumbing, gas fixtures, sewerage, and fees of architect, eighty-two thousand dollars (\$82,000.00).

And one building for holding entertainments and church worship, not to cost more than eighteen thousand dollars in addition to the eighty-two thousand dollars (\$82,000.00).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, one hundred thousand dollars (\$100,000.00).

Salaries of officers, matrons and teachers, nineteen thousand six hundred and fifty dollars (\$19,650 00).

Industrial pursuits, including purchase appliances and machineries, five thousand dollars (\$5,000.00).

For instructors in cooking and in practical sewing and for the purchase of necessary outfit and material, one thousand dollars (\$1,000.00).

Ordinary repairs, including improvements, ventilation and plumbing, seven thousand dollars (\$7,000.00).

Trustees' expenses, two hundred dollars (\$200.00).

Net earnings, two thousand dollars (\$2,000.00).

Library, two hundred dollars (\$200.00).

Laundry and fixtures therein, five hundred dollars (\$500).

Support of orphans and children of indigent soldiers outside, twenty thousand dollars (\$20,000.00).

Furniture, carpets and bedding, two thousand dollars (\$2,000.00).

Expense visiting county homes, one hundred dollars (\$100.00).

Expense lady board of visitors, one hundred dollars (\$100 00).

Salaries of foremen, five thousand one hundred and sixty dollars (\$5,160.00).

Grading, graveling, and planting trees, three hundred dollars (\$300.00).

Finishing, heating and furnishing new school building, seven thousand dollars (\$7,000.00).

General appropriations.

Water supply, piping, apparatus and water rents, five thousand dollars (\$5,000.00).

Remodeling and furnishing hospital, old industrial building, and finishing chapel, five thousand dollars (\$5,000.00).

Service in chapel, three hundred dollars (\$300.00).

New cottage, five thousand dollars (\$5,000.00).

Enlarging bakery and purchasing range, one thousand dollars (\$1,000.00).

Ohio Working Home for Blind:

Salary of superintendent, and expenses of trustees, one thousand dollars (\$1,000.00).

Working capital, ten thousand dollars (\$10,000.00).

Salary of salesman, one thousand dollars (\$1,000.00).

Salary of foreman, six hundred dollars (\$600.00).

Salary of teamster, three hundred dollars (\$300.00).

Salary of cook, one hundred and seventy-five dollars (\$175.00).

Miscellaneous:

Prosecution of war claims, vs. general government, fifteen hundred dollars, and there is hereby appropriated any amount necessary to pay the percentage on any moneys collected and actually paid into the state treasury, in accordance with the contract made under the act passed April 16, 1883.

Pension of J. P. Brush family, one hundred and twenty dollars (\$120.00).

Wilberforce university, to aid in establishment and maintenance of a combined normal and industrial department, six thousand dollars (\$6,000.00).

Veteran bounty for Margaret Johnson, as mother of John Johnson, deceased, one hundred dollars (\$100.00).

Mrs. J. M. Wheaton, to correct error in appropriation for settlement of her claim in the act passed April 12, 1889, three hundred and thirty dollars (\$330.00).

Ohio historical and archaeological society, for books and manuscripts to be placed in state library, two thousand dollars (\$2,000.00).

To assist in the construction of a sewer under the canal at Maumee City, to be paid upon the order of the board of public works, five hundred dollars (\$500.00).

To aid in support of deaf mute school in Cincinnati, thirty-five hundred dollars (\$3,500.00).

To Ohio Valley publishing company, statutes for circuit judges, two hundred and forty dollars (\$240.00).

Intermediate Penitentiary:

For necessary work and material for completing enclosure of administration building, completing and putting under roof the building for guard room, dining hall, etc., and diagonal wings, fifty thousand dollars (\$50,000.00).

SECTION 2. The moneys appropriated in the last preceding section, shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1890, except as herein provided for Longview asylum, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid. General appropriations.

SECTION 3. In addition to the several appropriations made for the institutions for the insane, blind, deaf and dumb, and feeble-minded youth, the girls' industrial home, the boys' industrial school, and soldiers' and sailors' orphans' home, and soldiers' and sailors' home, there is hereby appropriated for the use of said institutions any moneys received from sources other than the state treasury by their respective financial officers, which moneys shall be credited to the current expense funds of said institutions respectively, unless otherwise provided by law.

SECTION 4. No bills for clerk hire, for furniture or carpets, or for newspapers, shall be paid out of appropriations made for contingent expenses; no bills for horses or cows, carriages or wagons, carpets or furniture or any expenses for officers attending state, inter-state, or national associations of benevolent institutions shall be paid out of appropriations made for the current expenses of said institutions; and no money herein appropriated shall be drawn, except on a requisition on the auditor of state, approved by the head of each department, or the trustees of the institution, which shall set forth the service rendered or material furnished and the date of purchase and the time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
248G

[House Bill No. 32.]

AN ACT

To amend an act entitled "an act to define the legal residence of electors who may be inmates of infirmaries owned or maintained by cities of the first or second class, or any county containing a city of the second grade of the second class," passed March 12, 1888 (85 O. L., 78).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "an act to define the legal residence of electors who may be inmates of infirmaries owned or maintained by cities of the first or second class, or any county containing a city of the second grade of the second class," passed March 12, 1888, be and the same is hereby amended so as to read as follows:

Defining the legal residence of inmates of infirmaries in certain cities.

Sec. 1. That the legal residence of any qualified elector, who may be an inmate of any infirmary owned or maintained by any city of the first or second class, shall be the ward or precinct of such city where said inmate was domiciled or resident at the time of his admission to said infirmary, and shall so continue during the time he may be an inmate thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
249G

[House Bill No. 310.]

AN ACT

To amend section 1 of an act passed April 2, 1890, to compel children of a certain age to attend school, and to amend sections 4013 and 4026 of the Revised Statutes.

Schools, and attendance enforced:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act passed April 2, 1890, to compel children of a certain age to attend school, and sections 4013 and 4026 of the Revised Statutes of Ohio, be amended so as to read as follows:

Requiring all minor children of certain ages to be instructed in the common branches of learning.

Sec. 1. All parents, guardians, and other person who have care of children, shall instruct them, or cause them to be instructed, in reading, spelling, writing, English grammar, geography and arithmetic, and every parent, guardian, or other person having control and charge of any child between the ages of eight and fourteen years, shall be required to send any such child or children to a public or private school for a period of not less than twenty weeks in city districts in each school year, commencing September 1, ten weeks of which at least shall be consecutive, which shall commence within the first four weeks of the first term of the school year, and in special, village and township districts not less than sixteen weeks in each school year, eight of which shall be consecutive, unless such child or children are excused from attendance by the superintendent of the public, private or parochial schools in cities, or by authority of the board of education in villages and townships, when it shall have been shown to the satisfaction of said superintendent or said board that the physical or mental condition of such child or children has been such as to prevent his, her, or their attendance at school, or that said child or children are taught at home by some qualified person or persons in such branches as are usually taught in primary schools; provided, that all youth between eight and sixteen years of age, not engaged in some regular employment, shall attend school for the full term the schools of the district in which they reside are continued in the school year, unless excused

Youth not engaged in regular employment must attend school for the full term.

for the reasons named in this section, and if the parents or guardians having legal charge of such youth shall fail to send these youth to school regularly for said full term, or said youth shall absent themselves from school without satisfactory excuse, said parents and guardians and said youth shall be subject to the provisions and penalties of section 8 of this act.

Sec. 4013. The schools of each district shall be free to all youth between six (6) and twenty-one (21) years of age, who are children, wards, or apprentices of actual residents of the district, including children of proper age, who are or may be inmates of a county or district children's home located in any such school district, at the discretion of the board of education of the township in which said school district is located; provided, that all youth of school age, living apart from their parents or guardians and who work to support themselves by their own labor, shall be entitled to attend school free in the district in which they are employed. Each board of education may admit other persons upon such terms or upon payment of such tuition as it may prescribe; provided, that in all counties which do not contain a city of the first grade of the first class, in such case there shall be credited on the tuition so charged the amount of school tax in such district for the current school year, which may be paid by such non-resident pupil or a parent thereof; and the several boards shall make such assignment of the youth of their respective districts to the schools established by them, as will, in their opinion best promote the interests of education in their districts.

Who may be admitted to school free.

Non-resident pupils.

Crediting of school tax on tuition.

Assignment of pupils

Sec 4026. If it be shown to the satisfaction of the board of education that the parent or guardian has not the means wherewith to purchase for his child or children the necessary school-books to enable him to comply with the requirements of this chapter, the board shall furnish the same, free of charge, to be paid for out of the contingent fund at the disposal of the board.

When board may supply with books.

SECTION 2. That section 1 of an act passed April 2, 1890, known as the compulsory education law, and sections 4013 and 4026 of the Revised Statutes be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
250G

[House Bill No. 717.]

AN ACT

Making appropriations to meet deficiencies and pay liabilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and are hereby appropriated out of any moneys in the state treasury to the credit of the general

Deficiency appropriations.

Deficiency ap-
propriations.

revenue fund, and not otherwise appropriated, the following sums of money to pay deficiencies and liabilities as herein-after particularly mentioned, to-wit:

Adjutant-General's Department:

For salary of transcribing clerks, thirty-three dollars and twelve cents (\$33.12).

For contingent expenses and inspection as follows:

Western Union Telegraph Co., account, three dollars and ninety-six cents (\$3.96).

Hildreth & Martin, lumber account, two dollars and sixteen cents (\$2.16).

To the Alum Creek Ice Co., account, twenty dollars and thirty cents (\$20.30).

To the American Writing Co., for caligraph, fifty-five dollars (\$55.00).

To George M. Maris, lock and blanks, three dollars and twenty five cents (\$3.25).

Material and repairs, M. C. Lilley & Co., eleven dollars and thirty-eight cents (\$11.38).

Dundon & Bergin, thirteen dollars and sixteen cents (\$13.16).

To T. J. Kistler, for grading and keeping in repair Main street in front of state arsenal, one hundred and forty-one dollars and eight cents (\$141.03).

To Kaiser & Brother, for work and materials for repair of roof of state arsenal, twenty-four dollars and ninety-six cents (\$24.96).

To Fred Steube, for labor at state arsenal, sixteen dollars and fifty-three cents (\$16.53).

For care of military stores and freight on arms, ninety-two dollars and two cents (\$92.02).

To extra labor, fifty-two dollars (\$52.00).

Ohio National Guard:

For transportation of indigent soldiers, seven dollars and ninety-five cents (\$7.95).

Error in pay-roll, guard on duty at Ottawa, twenty-seven dollars (\$27.00).

State House and Grounds:

George M. Maris, material furnished, fifty-six dollars and seventy-one cents (\$56.71).

Kaiser & Brother, labor and materials, one hundred and sixty-three dollars and forty-two cents (\$163.42).

Auditor of State:

For contingent expenses, seventy-seven dollars and three cents (\$77.03).

*Board of Public Works:*Deficiency ap-
propriations.

For repairing the southern division of the Ohio canal, two thousand nine hundred and seven dollars and fifty cents (\$2,907.50).

For repairing the Hocking canal, nine hundred and sixty-one dollars and seventy cents (\$961.70).

To David Banker for gravel, seven hundred and seventy-six dollars and thirty-four cents (\$776.34).

Attorney-General:

For fees on collections, one thousand dollars (\$1,000.00).

Board of State Charities:

Expenses board of state charities, nine hundred and sixty-nine dollars and seventy-three cents (\$969.73).

Commissioner of Common Schools:

For boxing and shipping reports, two hundred dollars (\$200.00).

For per diem and expenses of state board of school examiners, forty-one dollars (\$41.00).

Commissioner of Railroads and Telegraphs:

Contingent expenses, to-wit:

To the Alum Creek Ice Co., thirty dollars (\$30.00).

Executive Department, Governor's Office:

For contingent expenses, three hundred and eighty-five dollars and eighty-seven cents (\$385.87).

Postage, box rent, etc., eleven dollars and ten cents (\$11.10).

Salary of messenger, one hundred and fifty dollars (\$150.00).

Chief Inspector of Workshops and Factories:

For traveling expenses of district inspectors, three hundred dollars (\$300.00).

For clerk hire, one hundred and thirty-two dollars and ninety-two cents (\$132.92).

For contingent expenses, fifty dollars (\$50.00).

Judiciary:

For salary of judges, five thousand four hundred and forty-three dollars and seventy-one cents (\$5,443.71).

Law Librarian:

Contingent fund, to-wit:

The Alum Creek Ice Company, ice furnished, thirty-seven dollars (\$37.00).

Deficiency ap-
propriations.

Ohio Penitentiary:

For current expenses, two thousand four hundred and fifty-two dollars and sixteen cents (\$2,452.16).

Manufacturing gas, two thousand nine hundred and eighty-nine dollars and forty-two cents (\$2,989.42).

Rewards to discharged prisoners, four thousand eight hundred and forty-six dollars and ninety-five cents (\$4,846.95).

Repairs to buildings, ten thousand four hundred and eighty-two dollars and fifty-one cents (\$10,482.51).

Prosecution and transportation of convicts to the Ohio penitentiary, seventeen thousand and six dollars and twenty-eight cents (\$17,006.28).

Superintendent of Insurance:

For extra clerk hire, as follows:

To Samuel Fenstermaker, seventy-five dollars (\$75.00).

To Tella Miller, seventy-five dollars (\$75.00).

To Louis McCallister, seventy-five dollars (\$75.00).

To Frank G. Mattox, sixty-five dollars (\$65.00).

Supervisor Public Printing:

For state binding, three thousand nine hundred and forty dollars and eighty-two cents (\$3,940.82).

Treasurer of State:

For collecting auditor of state's drafts, one thousand dollars (\$1,000.00).

Athens Asylum for the Insane:

For salary of additional assistant physician, three hundred and seventy-three dollars and thirty-one cents (\$373.31).

Cleveland Asylum for the Insane:

For furnishing amusement hall and work on corridors, two thousand five hundred dollars (\$2,500.00).

For furnishing amusement hall, fifty-five hundred dollars (\$5,500.00).

Columbus Asylum for the Insane:

For current expenses, five thousand dollars (\$5,000.00).

Toledo Asylum for the Insane:

For furniture and furnishings, five thousand dollars (\$5,000.00).

Girls' Industrial Home:

For purchase of horses, fifty-seven dollars and eighty-five cents (\$57.85).

*Ohio Institution for Deaf and Dumb :*Deficiency ap-
propriations.

Lumber and nails for boxes, two hundred and forty dollars and fifty cents (\$240.50).

Ohio Soldiers' and Sailors' Home :

Current expenses, three thousand three hundred and thirty-eight dollars and seventy-two cents (\$3,338.72).

Clothing, three thousand nine hundred and twenty-four dollars and seventy-one cents (\$3,924.71).

Furnishing buildings, six hundred and eighteen dollars and seventy-three cents (\$618.73).

To M. I. Wilcox, Cordage and Supply Co., for 24 awnings and frames, ninety-five dollars (\$95.00).

To H. C. Lindsay, architect, one hundred and seventy-five dollars (\$175.00).

Ohio Soldiers' and Sailors' Orphans' Home :

For ordinary repairs, two hundred and thirty-five dollars (\$235.00).

For beds and bedding, five hundred and forty-six dollars and forty-five cents (\$546.45).

For salaries of foremen, one hundred and twenty dollars and sixty-six cents (\$120.66).

For chapel furniture, six hundred and seventy-five dollars (\$675.00).

Window glass and chandeliers for chapel, six hundred and twenty-three dollars (\$623.00).

For moral and religious instruction, three hundred dollars (\$300.00).

Ohio Working Home for the Blind :

Amount necessary to pay bills payable, eight hundred and seventy-five dollars and forty-one cents (\$875.41).

Supreme Court Report[er] :

Contingent expenses, one hundred dollars (\$100.00).

Legislature :

To pay liabilities incurred by Frederick Blankner, third assistant sergeant-at-arms, in caring for the halls and rooms of the general assembly as follows:

To A. L. Yardley, for ventilators, baskets and pails, fifty-eight dollars and fifty cents (\$58.50).

To George A. Gawler, for repairing, eleven dollars and seventy-five cents (\$11.75).

To Freeman, Halm & McAlister, for furniture and repairs, one hundred and seventy-eight dollars and fifty cents (\$178.50).

Deficiency ap-
propriations.

To R. E. DeButts, for keys, locks and repairs, twenty-seven dollars and eighty-five cents (\$27.85).

To J. M. & W. Westwater, merchandise, one hundred and twenty-three dollars (\$123.00).

To Charles Huston, druggists' sundries, seventy-four dollars and fifteen cents (\$74.15).

To J. M. & W. Westwater, account, thirty-nine dollars and fifty cents (\$39.50).

To Alum Creek Ice Co., ice for house, eleven dollars and twenty-five cents (\$11.25).

To Alum Creek Ice Co., ice for clerk's office, thirteen dollars and sixty-five cents (\$13.65).

To Kilbourne, Jones & Co., for hardware, nineteen dollars and twenty-five cents (\$19.25).

To Frank F. Bonnet, key rings and clock, nine dollars (\$9.00).

To J. S. Abbott & Co., hardware, fifty-six dollars and sixty-five cents (\$56.65).

To Aston & Huff, account, eighty-four dollars and fifty-five cents (\$84.55).

To Krauss & Meehan, account, ninety-one dollars and fifty cents (\$91.50).

To L. E. Mathews, polishing and cleaning desks, chairs, etc., twenty-five dollars (\$25.00).

To Jno. L. Flowers, labor as carpenter, fifty-seven dollars and fifty cents (\$57.50).

To the Schwartz Plumbing and Stove Co., account, fourteen dollars and twenty-five cents (\$14.25).

To A. K. Kuhn, painting hall of house of representatives, twenty-three dollars and seventy-five cents (\$23.75).

To Frederick Blankner, balances for service, sixty-eight dollars (\$68.00).

To George Riley, labor, twenty dollars (\$20.00).

To James B. Lewis, labor, twelve dollars (\$12.00).

To Moler & Bowland, for muslin and towels, thirty-two dollars and thirty-six cents (\$32.36).

To W. R. Kinnear & Co., brass screws and nosing around platform, thirteen dollars and fifteen cents (\$13.15).

Miscellaneous:

Krauss & Meehan, for carpet and linoleum, for senate chamber and hall and passageway, by authority of senate resolution No. 130, adopted April 12, 1889, and senate resolution No. 133, adopted April 13, 1889, eleven hundred and seven dollars and seventy-three cents (\$1,107.73).

To pay liabilities incurred by Frederick Blankner, third assistant sergeant-at-arms of the house of representatives, in remodeling and improving the water closets of the senate chamber, by authority of senate resolution No. 130, adopted April 12, 1889, as follows:

To Andrew Earl, fifty-eight dollars and seventy-six cents (\$58.76).

To D. Westwater, eight dollars and thirty-seven cents (\$8.37).

To J. M. & W. Westwater, thirty-eight dollars (\$38.00).

To George A. Gawler, fifteen dollars and thirty-five cents (\$15.35). Deficiency appropriations.

To Lewis Fink, eighty-three dollars and fifty-five cents (\$83.55).

Wm. Goodall & Son, one hundred and eighty-one dollars and forty cents (\$181.40).

Aston & Huff, one hundred and sixty-seven dollars and forty-one cents (\$167.41).

Ohio Furniture Co., one hundred and eighty-four dollars and five cents (\$184.05).

To Schwarz Plumbing and Stove Co., sixty-four dollars and fifteen cents (\$64.15).

To J. S. Abbott & Co., two hundred and thirty-three dollars and fifty-seven cents (\$233.57).

To Homer M. Woodward, eighty-four dollars and ninety-five cents (\$84.95).

To be paid upon vouchers approved by said Frederick Blankner.

To pay pension J. P. Brush family, ninety dollars (\$90.00).

Ohio Soldiers' and Sailors' Orphans' Home—expense of lady board of visitors, forty-five dollars (\$45.00).

To L. J. Critchfield, attorney fees, Ohio vs. Arndt and others, forty dollars (\$40.00).

To L. J. Critchfield, attorney fees, Ohio vs. commissioners of Washington county, one hundred dollars (\$100.00).

To D. A. Hollingsworth, attorney fees, Ohio vs. Shotwell, six hundred dollars (\$600.00).

To Thomas McDougall, attorney fees, Western Union Telegraph Co. vs., treasurer of Hamilton county—three cases—one thousand dollars (\$1,000.00).

To pay city of Columbus for grading the roadway on Woodruff avenue, from Neil avenue, to Doe alley, thirty-eight dollars and seventy-five cents (\$38.75).

To pay the city of Columbus for constructing asphalt pavement, on High street, from Woodward avenue to Woodruff avenue (Ohio state university), three thousand nine hundred and fifty-two dollars and forty-five cents (\$3,952.45).

SECTION 2. The moneys appropriated by this act shall only be paid out on vouchers approved by the governor; except that the moneys appropriated by this act to pay the liabilities incurred by Frederick Blankner, third assistant sergeant-at-arms, shall only be paid out on vouchers approved by the said Frederick Blankner.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 25, 1890.

251G

[House Bill No. 806.]

AN ACT

To amend section 1482 of the Revised Statutes.

Officers of civil
townships:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1482 of the Revised Statutes be so amended as to read as follows:

Powers of
township
trustees.

Sec. 1482. The trustees of a township are authorized and empowered to purchase suitable stone or gravel, when deemed necessary, for the improvement of the public roads within their township; and for the purpose of paying the purchase price of the same they are authorized to levy and assess upon the taxable property of the township, such a rate of taxation as will raise any sum not exceeding one hundred dollars in any one year, and the trustees of two or more adjoining townships may jointly purchase such stone and gravel, or may obtain the same by condemnation, as provided in section 1483.

SECTION 2. That said original section 1482, be, and the same is hereby repealed, and this act shall take effect and in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
252G

[House Bill No. 836.]

AN ACT

To amend section 4889 of the Revised Statutes.

Repair of im-
proved roads:Townships in
certain coun-
ties made road
districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4889 be amended so as to read as follows:

Sec. 4889. Each township in the counties of Belmont, Brown, Butler, Carroll, Champaign, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Harrison, Henry, Licking, Lucas, Madison, Montgomery, Muskingum, Ottawa, Preble, Ross, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, Warren and Wayne in which any such free road is located, shall be a road district for the care and maintenance thereof.

SECTION 2. And this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
253G

[House Bill No. 845.]

AN ACT

To amend sections 6, 8 and 11, as amended April 2, 1890, and section 13 of an act entitled "an act to compel children under fourteen years of age to attend school a certain length of time each year," passed April 15, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 6, 8, 11 and 13 of the above mentioned acts be amended to read as follows:

Sec. 6. That in cities of the first and second class the board of education of said cities shall be required to employ one or more truant officers to assist in the enforcement of this act, said truant officers to be vested with police powers, and shall be authorized to enter factories, workshops, stores and all other places where children may be employed, and perform such other services as the superintendent of schools or the board of education may deem necessary to the preservation of the morals and good conduct of school children, and for the enforcement of this act, and in special, village and township districts the board of education shall be required to appoint some constable or other person as truant officer, with same power as said officers have in said cities, and the compensation of such officers shall be fixed by the board of education.

Truant officers
to be employed
in certain
cities.

Sec. 8. That it shall be the duty of all truant officers to examine into all cases of truancy when any such come [s] before their notice, or when requested to do so by the superintendent of public schools, or by the board of education, and to warn such truants, their parents or guardians, in writing, of the final consequences of truancy if persisted in, and also to notify the parent, guardian or other person having the charge or control of any child between the age of eight and fourteen years, that the said child is not attending any school, and to require said parent, guardian or other person to cause the said child to attend some recognized school within five days from said notice, and it shall be the duty of said parent, guardian or other person having the legal charge and control of said child to cause the attendance of said child at some recognized school; if said parent, guardian or other person having the legal charge and control of said child shall willfully neglect, fail or refuse to cause said child to attend some recognized school, it shall be the duty of said officers to make, or cause to be made, a complaint against said parent, guardian or other person having the legal charge or control of such child, in any court of competent jurisdiction in the city, special, village or township district in which the offense occurred, for such refusal, failure or neglect, and upon conviction thereof said parent, guardian or other person, as the case may be, shall be punished by a fine of not less than five dollars nor more than twenty dollars, or the court may, in its discretion, require persons so convicted to give bonds in the penal sum of one hundred dollars, with one or more sureties to be approved by said court, conditioned that said persons so convicted shall cause the child or children under his or her legal

Duties of
truant officers.

Complaints
against par-
ent, guard-
ian, etc.

Penalty of
truancy.

charge or control to attend some recognized school within five days thereafter, and to remain at said school during the term prescribed by law; provided, that if said parent, guardian, or other person in charge of such child shall prove inability to cause said child to attend said recognized school, then said parent, guardian or other person shall be discharged, and said court, upon complaint of said truant officer or other person, that said child is a juvenile disorderly person, as described in section 5 of this act, proceed to hear such complaint, and if said court shall determine that said child is a juvenile disorderly person within the meaning of this act, such child shall be deemed guilty of misdemeanor, and said court shall thereupon sentence said child to some juvenile reformatory; provided, that no child or children over ten years old shall be sentenced by any court to a county children's home; and that, where in the judgment of the trustees of any such home it shall be declared by resolution at a regular meeting by them held, that the character of any child thus sentenced and kept at such home is vicious and so bad as to be detrimental and harmful to the habits and good morals of other children at such home, said trustees are hereby authorized and empowered to remove such child or children to the boys' industrial school at Lancaster, Ohio, or the girls' industrial home at Delaware, Ohio, as the case may be; nor shall such child or children be kept at any such home beyond the period prescribed in section one, or until such child shall arrive at the age of sixteen years, unless sooner discharged by the board of trustees of said reformatory or home. Provided, however, that said sentence may be suspended in the discretion of the court, for such time as the child shall regularly attend school and properly deport himself or herself. It is further provided, that if for any cause the parent, guardian or other person having charge of any juvenile disorderly person, as defined in this act, shall fail to cause such juvenile disorderly person to attend said recognized school, then complaint against such juvenile disorderly person may be made, heard and tried and determined in the same manner as provided for in case the parent pleads inability to cause said juvenile disorderly person to attend said recognized school.

Duties of
teachers and
principals un-
der this act.

Sec. 11. That it shall be the duty of all principals and teachers of all schools, public and private, to report to the clerk of the board of education of the city, special, village or township districts, in which schools are situated, the names, ages and residence of all pupils in attendance at their schools, together with such other facts as said clerk may require, in order to facilitate the carrying out of the provisions of this act, and the said clerk shall furnish blanks for said purpose, and said report shall be made in the last week of September, December, February and April in each year; and it shall be the further duty of said principals and teachers to report to the truant officer, the superintendent of schools or the clerk of the board of education, all cases of truancy or incorrigibility in their respective schools as soon after these offenses shall have been committed as practicable.

Sec. 13. Any person or officer mentioned in this act, and designated as having certain duties to perform in the enforcement of any of its provisions, neglecting to perform any such duties, shall be liable to a fine of not less than twenty-five dollars nor more than fifty dollars for each and every offense; and mayors, justices of the peace and probate judges shall have jurisdiction to try the offenses described in this act, and their judgment shall be final. Penalty of neglect of duty by officer.

SECTION 2. That sections 6, 8 and 11 as amended April 2, 1890, and section 13 of the act entitled "an act to compel children under fourteen years of age to attend school a certain length of time each year," passed April 15, 1889, be and the same are hereby repealed. Repeal.

SECTION 3. That this act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 25, 1890.

254G

[House Bill No. 6.]

AN ACT

To amend section[s] 5189a, 5189b (1), 5189b (2), and 5189c, of the Revised Statutes, as amended March 16, 1887, and repeal section 5189d.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 5189a, 5189b (1), 5189b (2), 5189c, as amended January 8, 1885, and March 16, 1887, be amended so as to read as follows: Summoning jury, etc.:

Sec. 5189a. The county commissioners of each county having a city of the first class, or the first grade of the second class, shall provide and place in the custody of the clerk of such county a wheel so constructed and arranged that by turning the same the pieces of paper hereinafter mentioned may be thoroughly mixed, and that the names upon such pieces of paper can not be read or seen until withdrawn from such wheel. Jury wheel.

Sec. 5189b. In any county containing a city of the first class, or the first grade of the second class, before the second Monday of May of each year, the judges of the court of common pleas and of the superior court in any county containing a city of the first grade of the first class, in joint session, and the judges of the court of common pleas in any county containing a city of the second or third grade of the first class, or of the first grade of the second class, shall appoint three freehold electors of said county, no one of whom shall be an attorney at law in practice in any of the courts, and not more than two of whom shall be of the same political party, who shall be commissioners of jurors for such county, for one year and until their successors are appointed and qualified, and a record of such appointments shall be made upon the journal of each of said courts. Such commissioners shall, before enter-

Commissioners of juries in certain counties: appointment of.

Oath of.	ing upon the discharge of their duties, appear in said court of common pleas and take an oath of office as follows: "I do solemnly swear (or affirm) that I will honestly and faithfully discharge the duties of commissioner of jurors without fear or favor, and that I will consent to the selection of no person as juror whom I have been solicited to name as juror or whom I believe to be unfit for that position, or likely to render a partial verdict in any cause in which he may be called as juror. And this I do as I shall answer unto God," (or "and this I do under the pains and penalties of perjury").
Selection of jurors.	On the second Monday of May in each year such commissioners shall meet in the office of the auditor of such county at ten o'clock in the forenoon, and shall there select such number of judicious and discreet persons, having the qualifications of electors, of such county, as the court may direct, to be selected as nearly as may be from the several wards and townships in proportion to their respective population; but no person shall be so selected who shall not be, in the judgment of all of said commissioners, competent in every respect to serve as a juror; that after said commissioners shall have first ascertained said wheel to be entirely empty, the names of the persons so selected, as aforesaid, shall be written by the county clerk on separate pieces of paper, which shall be put into said wheel and securely locked therein in the presence of said commissioners, and said commissioners shall also, at the same time, make and sign a certificate containing all of said names, which they shall certify to be the names of the persons selected at the time and place aforesaid, to serve as jurors for the ensuing year, and that they are the same names as those placed in said wheel, which said certificate shall be filed with said clerk. Said wheel shall be securely locked at all times, except when, by order of court, it shall be necessary to put names into it, and to draw them from it, in the manner herein provided; and said clerk shall be the custodian of said wheel and key. And if any person shall unlock or open said wheel, except by order of court, he shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not more than one thousand dollars, nor less than five hundred dollars, and be imprisoned in the county jail not more than one year nor less than three months. If either of the commissioners mentioned in this section of this act shall be sick or absent from the county, the presiding judge of the court of common pleas may appoint some judicious and disinterested person to take the place of such commissioner in making the selection herein provided for; and the person so appointed shall be of the same political party as the commissioner whose place is to be filled; whenever it shall become necessary, said commissioners shall meet at such time and place as the court of common pleas may appoint, and shall there select such number of persons as the said court may by its order, direct; and the names of such persons shall be selected, written and deposited in said wheel, and certified to as hereinbefore specified; but nothing herein contained shall abridge the right of any party to a struck jury as provided by law.
Certificate of persons selected.	
Custodian of wheel and key.	
Penalty for unlawfully opening the wheel.	
Duty of court when commissioner or officer is sick or absent.	
Meetings of commissioners for selection of jurors.	
Struck juries.	
Compensation.	Sec. 5189b (2). That said commissioners each shall

receive for their services herein named, three dollars for each day employed, to be approved and paid on the order of the county auditor; provided that they shall not be paid for more than ten days' time in any one year.

Sec. 5189c. Whoever attempts by request, hint or suggestion, to influence such commissioners, or any of them, to select or not to select himself, or any other person or persons as aforesaid, shall be fined not more than one hundred dollars, or imprisoned in the county jail not more than twenty days, or both.

Influencing
commissioners
in selection of
jurors: pen-
alty.

SECTION 2. That said original sections as aforesaid and section 5189d be and the same are hereby repealed; and this act shall take effect and be in force from and after the first day of August, A. D. 1890.

Repeal.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
255G

[House Bill No. 825.]

AN ACT

To amend section 6869 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6869 of the Revised Statutes of Ohio, be so amended as to read as follows:

Offences
against
property:

Sec. 6869. Whoever willfully or maliciously cuts down, demolishes, destroys or injures any turnpike or plankroad, toll-gate or toll-board or any toll-gate erected on, or any fence which has lawfully been erected across, or partially across any turnpike or plankroad, or the national road, or whoever, with intent to evade the payment of toll, passes through any private gate or bars or along any other ground near a turnpike or plankroad, or the national road toll-gate erected in pursuance of law, or practices any fraudulent or forcible means with intent to evade or lessen the payment of toll, shall be fined not more than fifty dollars nor less than five dollars.

Malicious
injury of toll-
gate.

SECTION 2. This act shall take effect and be in force from and after its passage, and said original section 6869 is hereby repealed.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
256G

[House Bill No. 870.]

AN ACT

To authorize any village situated in any county containing a city of the first grade of the first class, which contained a population of 1268 at the last federal census, or at any subsequent federal census, to borrow money for street and sewerage purposes.

Certain villages authorized to issue bonds for street improvement and sewerage purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village, situated in any county containing a city of the first grade of the first class, and which at the last federal census contained a population of 1268, be and is hereby authorized to borrow money, not exceeding fifty thousand dollars in amount, for the purpose of repairing and improving the streets of said village and for the purpose of building sewers and such new streets for such village as said council shall determine upon; and the council of said village is hereby authorized to issue bonds of said village for the money so borrowed, said bonds to bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and said bonds shall be of such denominations and shall mature at such times after twenty years as council shall determine; provided, that not more than twenty thousand dollars of such bonds shall be sold at one time, and that none of said bonds shall be sold for less than their par value.

Levy of tax.

SECTION 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of the village as may be necessary to pay the interest and principal of such bonds when the same become due. Said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

Question of issue to be submitted to vote.

SECTION 3. Before issuing the bonds provided for in section one of this act, said council shall give at least ten days' notice to the qualified electors of said village, by posting in at least five public places therein printed notices of an election to be held at the usual voting place in said village upon the question of issuing the improvement bonds of said village. And if, at said election, the majority of the votes cast by said electors shall be "Improvement bonds—Yes," council shall then proceed to issue said bonds as herein provided, otherwise said bonds shall not be issued.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
257G

[House Bill No. 880.]

AN ACT

To re-enact and amend section 2933 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2933 of the Revised Statutes of Ohio, be re-enacted and amended as follows:

Conduct of elections:

Sec. 2933. Judges of elections for each ward precinct of a municipal corporation, except in cities having a board of elections as provided in section two thousand nine hundred and twenty-six, and the sections supplementary thereto, shall be constituted and chosen as follows:

Judges of election in municipal corporations: how chosen.

First—If the ward is not divided into precincts, the two councilmen of the ward, and the elector who was a member of a political party to which one or both of the councilmen did not belong, who received the highest number of votes for councilman of those voted for and not elected, at the preceding spring election, shall be judges; but if two or more of such electors not chosen received the same number of votes, the clerk of the corporation shall publicly determine by lot which shall be judge of election; judges of election so chosen shall serve as such for one year, and until their successors are chosen and qualified; and the clerk shall issue to them a certificate of election as in other cases.

Where ward is not divided into precincts.

Second—In every ward divided into election precincts, the two councilmen shall be judges of election in the precincts in which they respectively reside; and additional judges, so that there shall be three judges at each precinct, shall be chosen as provided in section two thousand nine hundred and thirty-five. Two clerks of election of opposite politics, shall be chosen, viva voce, from the two leading political parties by the electors at the time and place of holding elections in each of such wards or precincts, who shall have the qualifications of an elector, and shall take the oath prescribed by section two thousand nine hundred and thirty-five.

Where ward is divided into precincts.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
258G

[House Bill No. 884.]

AN ACT

To authorize the county commissioners of certain counties to erect and maintain certain bridge houses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all counties, which at the last federal census had, or which at any subsequent federal census may have, a

County commissioners in certain counties authorized

to erect and
maintain
bridge houses.

population not less than nineteen thousand seven hundred and sixty-three, nor greater than twenty thousand the county commissioners, in case where they are required to keep employed a bridge-tender, to attend draw-bridges over navigable streams, be and they are hereby authorized to purchase a site and erect and maintain thereon a shelter or house at a cost, including grounds, not to exceed eight hundred dollars, to be used by such county for the purpose of a shelter or dwelling for any such person so employed.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
259G

[Senate Bill No. 14.]

AN ACT

To provide for the organization and support of farmers' institutes.

Farmers' institutes; when deemed bodies corporate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That when twenty or more persons, residents of any county in the state, organize themselves into a society to be called ——— farmers' institute, for the purpose of teaching better methods of farming, stock-raising, fruit culture and all branches of business connected with the industry of agriculture, and adopt a constitution and by laws agreeably to rules and regulations furnished by the state board of agriculture, and when such society shall have elected proper officers and performed such other acts as may be required by the rules of the state board of agriculture, such society is deemed a body corporate.

Limit of number in each county; power of state board of agriculture.

SECTION 2. Not to exceed three farmers' institute societies may be organized under the provisions of this act in any one county of the state, and provided the state board of agriculture shall have power to determine the number and name the time and place for holding each institute.

Apportionment of funds among institutes; how made.

SECTION 3. When societies have organized under the provisions of this act and have held an annual public farmers' institute meeting in accordance with the rules of the state board of agriculture, the secretary of said board shall issue certificates, one to the president of the farmers' institute society and one to the president of the state board of agriculture, setting forth these facts, and on the presentation of these certificates to the county auditor he shall, each year, draw orders on the treasurer of the county as follows: Based on the last previous national census, but in no county shall the total annual sum exceed two hundred dollars, and the treasurer of the county shall pay the same. A sum equal to two mills for each inhabitant of the county in favor of the president of the state board of agriculture, and a sum equal to three

mills for each inhabitant of the county in favor of the president of the farmers' institute society, except in counties where there are more than one farmers' institute society organized under the provisions of this act, the said three mills for each inhabitant shall be equally apportioned among such societies, and warrants in the proper amounts issued to the respective presidents; and provided further, that the payment to any institute society shall not exceed the expense as per detailed statement provided in section four of this act.

SECTION 4. With the presentation of the certificate of the secretary of the Ohio state board of agriculture, each year, to the county auditor, which certificate shall indicate the number of societies organized in the county, and before the auditor issues his order upon the treasurer, there shall be filed with the auditor, a verified detailed exhibit of the receipts and expenditures of the institution [institute] for the current year, no part of which shall be or include salaries for officers of the institute society, but this provision shall not apply to the order [to the order] in favor of the president of the state board of agriculture, which board shall issue statement as required in section six of this act.

Financial exhibits: when made.

SECTION 5. At each of the annual farmers' institute meetings, held under the provisions of this act, the state board of agriculture shall furnish at least two lectures [lecturers] or speakers whose compensation and expense shall be paid by said board.

Lecturers furnished by state board of agriculture.

SECTION 6. At the close of each season's institute work, the state board of agriculture shall publish in pamphlet or book form such lectures and papers delivered at the several institutes, as may seem of general interest and importance to the farmers, stock breeders and horticulturists of the state, copies of which shall be furnished the secretary of each institute society, and the balance issued to be for general distribution; the cost of preparing the matter and the distribution of the pamphlet or book to be paid by the state board of agriculture. Said board shall also publish in such pamphlet or book a detailed statement of its receipts under the provisions of this act and the disbursements on account of institute work.

Publication of lectures, etc.

SECTION 7. Where five (5) or more farmers' clubs and granges have already organized for the purpose of holding farmers' institutes annually, and elected officers, adopted a constitution and by-laws, such organization shall be considered as a legal organization, provided their constitution and by-laws shall be approved by the state board of agriculture.

Farmers' clubs and granges

SECTION 8. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
260G

Repeal.

SECTION 2. That section 3501a, as enacted April 15, 1881 (78 O. L., p. 149), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.

263G

[House Bill No. 657.]

AN ACT

To amend section 416 of the Revised Statutes.

Supreme court:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 416 of the Revised Statutes of the state of Ohio, be so amended as to read as follows:

Deputy clerks.

Sec. 416. The clerk may appoint two deputy clerks for the supreme court, to be approved by the supreme court, and, when necessary, a deputy clerk for the supreme court commission, to be approved by the supreme court commission; and the appointments of such deputies shall be in writing and entered on the journals of the respective courts, and the clerk may take from each deputy a bond, with sureties, but he shall be responsible for their neglect of duty or misconduct in office.

SECTION 2. That said original section 416 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.

264G

[House Bill No. 863.]

AN ACT

Providing for the appointment of annual and decennial city boards of equalization, in cities of the first grade of the second class.

Annual board of equalization: appointment of in certain cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the second class, the annual board for the equalization of the value of real and personal property, moneys and credits, in such cities, shall be composed of the county auditor and six citizens of such cities appointed by the mayor thereof, for the term of one year, three members of which board shall be appointed from each of the two leading political parties in such cities.

Decennial board of equalization.

SECTION 2. In cities of the first grade of the second class, the decennial board for the equalization of the value of

real property within such cities, shall be composed of the county auditor and six citizens of such cities, appointed by the mayor thereof, three members of which board shall be appointed from each of the two leading political parties in such cities.

SECTION 3. Said boards shall have all the powers, and be governed by the rules, provisions and limitations, and perform the same duties as are, or may be prescribed by law, with respect to like boards in other cities; provided, that such annual city board of equalization shall close its session on or before the first Monday of August.

Powers and
duties of above
named boards.

SECTION 4. For each day necessarily employed in the performance of their duties, the members of said boards shall each receive the following compensation, to-wit: the members of said annual city board the sum of three dollars per day; the members of said decennial board, the sum of five dollars per day.

Compensation.

SECTION 5. This act shall take effect and be in force from and after its passage; all acts and parts of acts in conflict herewith are hereby repealed; and the terms of office of incumbents of such annual city and decennial boards of equalization in such cities of the first grade of the second class, in office at the time of the passage of this act, shall cease and determine.

Repeal.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
265G

[House Bill No. 910.]

AN ACT

To authorize and direct the governor of Ohio to convey, by deed to O. E. Phillips in lot number one hundred and two in the city of Fremont, Sandusky county, Ohio.

WHEREAS, O. E. Phillips is in possession under a claim of ownership of in lot number one hundred and two in the city of Fremont, Ohio, which lot contains only three square rods of land and is of little value; and

Preamble -

WHEREAS, He and his grantors have been so in possession of said lot for more than forty-seven years and during all that time have paid the taxes thereon, which in the aggregate amount to much more than the value thereof; and

WHEREAS, It is probable that a deed therefor was once executed and delivered by the state of Ohio to the grantors of said O. E. Phillips but no record thereof can now be found and the persons who might have knowledge thereof are all dead; and

WHEREAS, Said O. E. Phillips is the owner of the premises adjoining said lot without which said lot would be of no value; therefore,

Authorizing
the governor
to convey cer-
tain real estate
to O. E. Phillips.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of Ohio, be and he is hereby authorized and directed, on demand, to execute and deliver to said O. E. Phillips a deed of conveyance in fee simple for the premises herein described.

SECTION 2. This act shall take effect on and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.

266G

[House Bill No. 914.]

AN ACT

Making appropriations to meet deficiencies in sinking fund.

Sinking fund
deficiency ap-
propriation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and are hereby appropriated out of any moneys in the state treasury to the credit of the sinking fund and not otherwise appropriated, the sum of three hundred eighty-eight dollars and sixty cents (\$388.60) to pay for New York exchange used by sinking fund commissioners in 1889 in redeeming bonds and paying interest on funded debt.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.

267G

[House Bill No. 916.]

AN ACT

To amend section 2816 of the Revised Statutes.

Boards of
equalization:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2816 of the Revised Statutes be so amended as to read as follows:

Powers.

Sec. 2816. The said board shall as to the real estate within such city, have the same powers, perform the same duties, and be governed by the same rules, provisions and limitations as the decennial county board of equalization; and in cities of the first grade of the first class, said board may appoint a chief clerk who shall be entitled to receive for each day necessarily employed in the performance of his duties a sum not exceeding four dollars, to be paid out of the county treasury, after the same has been approved by the county commissioners; said board may also employ such other clerks

Clerks: em-
plo, ment and
compensation
of in certain
cities.

as may be necessary, who shall be entitled to receive not exceeding four dollars per day each for the time necessarily employed, to be paid out of the county treasury.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
268G

[Senate Bill No. 52.]

AN ACT

To refund the fishing net tax of April 15, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the tax paid into the state treasury by fishermen and fishing firms, as required by "an act to regulate by taxation the use of fishing nets in Lake Erie and other reservoirs of the state," passed April 10, 1889, be and the same is hereby repealed, the said act having been declared unconstitutional by common pleas and circuit courts and since repealed, and that there be and hereby is appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of six thousand four hundred and ninety-two dollars and seventy-five cents (\$6,492⁷⁵/₁₀₀), to be paid upon the warrant of the auditor of state.

Providing for
the refunding
of the fishing
net tax.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
269G

[Senate Bill No. 127.]

AN ACT

To amend section 2 of "an act for the apprehension and conviction of horse thieves and other felons," passed March 21, 1887 (O. L. vol. 84, page 170).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of an act entitled "an act for the apprehension and conviction of horse thieves and other felons," passed March 21, 1887 (O. L. vol. 84, page 170), be amended to read as follows:

Corporations
for the apprehension and
conviction of
horse thieves,
etc.

SECTION 2. Any association so incorporated may make and use a common seal with the name of the corporation thereon. A majority of the members of such association shall have power to adopt a constitution and by-laws for their

Seal.

Constitution

Officers.

government; and may elect or appoint such officers as they may deem proper, who shall hold their office during the term provided for by the constitution and by-laws thereof, and who shall perform the duties required of them by said constitution and by-laws, and the provisions of this act; and the presiding officer of any such association or corporation may administer the proper oaths of office to any of its officers or members, and certify the appointment or election thereof under the seal of said corporation. The presiding officer may also appoint deputies, not exceeding one in each township, in any county or counties where such corporation is located, who may administer said oath of office, or membership, and certify the appointment or election thereof, which shall be valid when approved by said presiding officer under the seal of said corporation, and the officers or members of said association or corporation, upon the proper certificate of the presiding officer thereof, when so elected or appointed, shall have full power and authority, when a felony has been committed, to pursue and arrest, without warrant, any person or persons whom they believe or have reasonable cause to believe is guilty of the offense, and arrest and detain such alleged criminal or criminals in any county in the state to which they may have fled, and return such accused person or persons to any officer of the county in which the offense was committed, and there detain such accused person or persons until a legal warrant can be obtained for his or their arrest.

Oath of office.**Certificate of appointment or election.****Deputies.****Powers of officers and members.****Assessments.****Indemnity for losses.****Expenditures.****Reimbursement of expenses by county.**

SECTION 3. Any such association may make and collect from its members such assessments as may be authorized by its constitution or by-laws, and may, if so provided in its constitution, indemnify its members for losses caused by horse thieves or other felons, and expend such moneys as may be deemed necessary in the pursuit and arrest, and procuring the conviction of felons.

SECTION 4. Upon the apprehension and conviction of any such horse thief or other felon by any such association, the commissioners of the county in which the crime was committed, may reimburse said association in any sum not exceeding one hundred dollars, for necessary expenses, not otherwise provided for by law, incurred in the apprehension and conviction of such criminal.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April '28, 1890.

270G

[Senate Bill No. 134.]

AN ACT

To amend section 308 of the Revised Statutes of Ohio.

Commissioner of labor statistics:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 308 of the Revised Statutes be so amended as to read as follows :

Sec. 308. The commissioner shall have an office in the state house, which shall be a bureau of statistics of labor, and he shall collect, arrange and systemize all statistics relating to the various branches of labor in the state, and especially those relating to the commercial, industrial, social, educational and sanitary condition of the laboring classes. Said commissioner is hereby authorized and directed, immediately after the passage of this act, to organize and establish in all cities of the first class, and cities of the first and second grade of the second class in the state of Ohio, a free public employment office, and shall appoint one superintendent for each of said offices to discharge the duties hereinafter set forth. Said superintendents shall cause to be posted in front of their said offices on a sign board, or in a suitable place on the building where such offices are located, the words "free public employment office." It shall be the duty of such superintendents to receive all applications for labor of those desiring employment and those desiring to employ labor, and record their names in a book kept for that purpose, designating opposite the name of each applicant the character of employment, or labor desired, and the address of such applicant. Each of said superintendents shall be provided with such clerical assistance as in the judgment of the commissioner may appear necessary for properly conducting the duties of their several offices. No compensation or fee shall, directly or indirectly, be charged to or received from any person or persons seeking employment or any person or persons desiring to employ labor through any of said offices. Said superintendents shall make a weekly report on Thursday of each week to said commissioner of all persons desiring to employ labor, and the class thereof, and all persons applying for employment through their respective offices, and the character of employment desired by each applicant; also, of all persons securing employment through their respective offices and the character thereof, and a semi-annual report of the expense of maintaining such offices. Said commissioner shall cause to be printed weekly a list of all applicants and the character of employment desired by them, and of those desiring to employ labor, and the class thereof, received by him from the respective offices aforesaid, and cause a true copy of such list on Monday of each week to be mailed to the superintendent of each of said offices in the state, which said list by the superintendent shall be posted immediately on receipt thereof in a conspicuous place in his office, subject to the inspection of all persons desiring employment. Said superintendents shall perform such other duties in the collection of labor statistics as said commissioner shall determine. Any superintendent or clerk as herein provided, who directly or indirectly charges or receives any compensation from any person whomsoever in securing employment, or labor for any other person or persons as provided in this act, shall be deemed guilty of a misdemeanor, and be fined in any sum not exceeding fifty dollars, and imprisoned in the county jail or work-house not exceeding thirty days. The superintendent of each of said offices shall receive a salary, to be fixed by the council of such city,

His duties.

Free public employment offices to be established in certain cities.

Appointment of superintendents.

Duties of superintendents.

Publication of names of applicants for employment.

Penalties.

Salary of superintendent fixed by city council.

payable monthly. The clerk or clerks required in any such offices, shall receive a salary of not more than fifty dollars per month; provided the compensation of such superintendents and clerks so appointed shall be paid out of the city treasury, in which such free public employment office may be located.

Repeal.

SECTION 2. That said original section 308 of the Revised statutes be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

271G

[Senate Bill No. 148.]

AN ACT

To require the city council in all cities of the second grade of the first class to make, by the first week of each fiscal half-year, detailed and specific appropriations for the several objects for which the city has to provide.

Providing for monthly apportionment of funds for municipal purposes in certain cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cities of the second grade of the first class, the city council shall make, by the first week of each fiscal half-year, detailed and specific appropriations for the several objects for which the city has to provide, apportioned to each month, of the moneys known to be in the treasury, or estimated to come into it during the six months next ensuing, including in their estimate the next semi-annual December collection of taxes and all other sources of revenue, and be careful to provide in their appropriations for every legitimate city expenditure, and to apportion the means fairly and legally among such expenditures; and their action thereon they shall transmit to the board of tax commissioners for approval, amendment or rejection, as they may determine. All expenditures within the following six months shall be made in accordance with and within said appropriation. Balances thereof, or credits remaining over at the end of the year, shall then no longer be open for payment therefrom, and shall be re-credited to the funds from which they were taken. Provided, that nothing in this act shall be [so] construed as to apply to street improvements provided for in whole or in part by special assessments.

Exception as to street improvement assessments.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of [the] Senate.

Passed April 28, 1890.

272G

[Senate Bill No. 203.]

AN ACT

For the relief of Henry R. Bending.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of state be authorized and directed to pay to Henry R. Bending the sum of one hundred and seventy-two dollars for his services as a military officer under appointment of the governor of Ohio, from the 24th day of February, 1862, to the 23rd day of April, 1862, in the 61st regiment, O. V. I.

For the relief
of Henry R.
Bending.

SECTION 2. There is hereby appropriated out of any money in the treasury to the credit of the general revenue, and not otherwise appropriated, the sum of one hundred and seventy-two dollars, for the payment as directed in the first section.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

273G

[Senate Bill No. 213.]

AN ACT

To require at least one week to elapse before certain ordinances, resolutions, or orders can be passed by the council, and to confer the veto power upon the mayor in certain cases, in cities of the second grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the second grade of the first class, no ordinance, resolution or order involving an expenditure of money, shall be passed until at least one week shall have elapsed after the same has been introduced and read in the council, and every such ordinance, resolution or order which shall have passed the council, shall, before it takes effect, be presented, duly certified by the clerk, to the mayor of the city, for approval. The mayor, if he approves such ordinance, resolution or order shall sign it, but if he does not approve it he shall return it, with his objections, to the council, within ten days thereafter, or, if the council is not in session, at its next meeting thereafter, which objections the council shall cause to be entered in full on its journal; and if he does not return the same within the time above limited, it shall take effect in the same manner as if he had signed it. When the mayor refuses to sign any such ordinance, resolution or order, and returns it to the council with his objections, the council shall, after the expiration of not less than one week, proceed to reconsider the same, and, if such ordinance, resolution, or order is approved by the votes of two-thirds of all the members elected, it shall then take effect as if it had received the

Mayors of cer-
tain cities
given power to
veto certain
acts of council.

Passage over
veto.

signature of the mayor; and in all such cases the vote shall be taken by yeas and nays, and entered on the journal.

Mayors may veto certain acts of police and fire commissioners and board of health.

SECTION 2. Any order or resolution of the board of police commissioners, the board of fire commissioners, or the board of health, involving the expenditure of money shall before it takes effect, be by the secretary of the board submitted to the mayor of the city for approval. The mayor if he approves such order or resolution shall sign it, but if he does not approve it he shall return it with his objections to the board from which it came within ten days thereafter, or if the board is not in session, at its next regular meeting thereafter, which objections the board shall cause to be entered in full upon its record; and if he does not return the same within the time above limited, it shall take effect in the same manner as if he had signed it. When the mayor refuses to sign any such order or resolution, and returns the same with objections, the board to which it is returned, shall, after the expiration of one week, proceed to reconsider the same, and if such order or resolution is approved by the votes of four-fifths of the members of the board, it shall then take effect as if it had received the signature of the mayor.

Passage over veto.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
274G

[Senate Bill No. 298.]

AN ACT

To authorize cities of the third grade of the first class to borrow money and issue bonds, to provide for indebtedness incurred for the cost of street intersections.

Authorizing cities of the third grade, first class, to issue bonds to pay cost of improving street intersections.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That to provide means for paying the cost of street intersections upon street improvements ordered and contracted for by any city of the third grade of the first class, prior to passage of the act amending section 2274, Revised Statutes of Ohio, passed March 19, 1889, but which street intersections could not be paid for by special assessment in consequence of said act, the common council of any city of the third grade of the first class, is authorized to borrow money and issue the bonds of said city, in an amount not to exceed sixty-five thousand dollars. Said bonds shall bear interest at a rate not to exceed four and one-half per cent., payable semi-annually, and may be issued in such denominations, and to run for such length of time as said common council may determine. Said bonds shall be signed by the mayor and auditor, and shall be sold in accordance with the provisions of section 2709 of the Revised Statutes.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
275G

[Senate Bill No. 308.]

AN ACT

To provide for the preservation of Fort Ancient.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of preserving the pre-historic earth-works known as Fort Ancient, situate in Warren county, Ohio, a committee of five shall be appointed, two by the president of the senate, two by the speaker of the house of representatives, and one by the attorney-general. Said committee are hereby authorized in behalf of the state, to purchase for the state the lands upon which Fort Ancient are [is] located, or so much thereof as may be necessary, to include all, or the most important part of said works, not less than one hundred and eighty acres in the aggregate, at a price not exceeding forty dollars per acre. Such purchase shall be approved by the governor and the attorney-general of the state. The title to such lands must be approved by the attorney-general of the state before the same is accepted, and when accepted shall be conveyed to the state of Ohio, and the deed thereof shall be duly recorded and deposited with the auditor of state.

Providing for
the purchase
of Fort An-
cient.

SECTION 2. That for the purpose of carrying out the provisions of this act, there is hereby appropriated out of any moneys in the treasury, and not otherwise appropriated, to the credit of the general revenue fund, the sum of seven thousand two hundred dollars, or so much as may be necessary to purchase said lands.

Appropriation.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
276G

[Senate Bill No. 309.]

AN ACT

Making appropriations for the salaries and expenses of the canal commission and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is [are] hereby appropriated from any money in the treasury to the credit of the general revenue fund not otherwise appropriated, the following sums, to-wit:

Appropriations for salaries and expenses of the canal commission, etc.

Appropriations for salaries and expenses of the canal commission, etc.

CANAL COMMISSION.

For salaries, thirty-six hundred dollars (\$3,600).

For expenses, ten thousand dollars (\$10,000).

BUREAU OF LABOR STATISTICS.

Clerk hire, four hundred dollars (\$400).

Contingent expenses, four hundred dollars (\$400).

Book and file case, desk and chairs, two hundred dollars (\$200).

One-half of new carpet, seventy-five dollars (\$75).

Cleaning and painting office, thirty-five dollars (\$35).

Ohio state university veterinary department, five thousand dollars (\$5,000).

AUDITOR OF STATE.

For purchase of two sectional maps of the state of Ohio, twenty-five dollars (\$25).

INSPECTOR OF MINES.

For one-half of new carpet and for painting and cleaning office, one hundred and ten dollars (\$110).

ADJUTANT-GENERAL.

Contingent expenses and inspection, five hundred dollars (\$500).

OHIO SOLDIERS' AND SAILORS' HOME.

To reimburse Noah Thomas for the digging of a well at new slaughter-house, three hundred dollars (\$300).

SUPERVISOR OF PUBLIC PRINTING.

For printing, twelve hundred dollars (\$1,200).

For binding, twenty-five hundred dollars (\$2,500).

MISCELLANEOUS.

For the purchase of twelve hundred copies of "Howe's Historical Collection[s] of Ohio," in pursuance of senate joint resolution No. 26, six thousand dollars (\$6,000).

To J. and P. Owens, for sprinkling and cleaning 660 feet on High street, Columbus, as per bill approved by city civil engineer, two hundred and eighty dollars and eighty-three cents (\$280.83).

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

277G

[Senate Bill No. 317.]

AN ACT

To authorize certain cities in the state of Ohio having at the last federal census a population of three thousand eight hundred and thirty-five (3835) or which at any subsequent federal census may have such population or which having such population may have become cities of the second class fourth grade or may hereafter become cities of the fourth grade second class and at the time of such census were villages, to purchase lands and erect buildings thereon and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any such city in the state of Ohio, having at the last federal census a population of three thousand eight hundred and thirty-five (3835) or which at any subsequent federal census may have such population or which may have become cities of the second class fourth grade, or may hereafter become cities of the fourth grade, second class by advancement from village[s] be and are hereby authorized to contract for and purchase land, and erect buildings thereon, and for that purpose to issue bonds to the amount of fifty thousand dollars, in such denominations, in such amount at any one time, and payable at such times as the city council shall by resolution determine. Such bonds shall be signed by the mayor, countersigned by the clerk and attested by the seal of such city, and shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually from the date thereof.

Authorizing certain cities to issue bonds for the purchase of lands and the erection of buildings.

SECTION 2. That the council of any such city may negotiate such bonds for cash, or it may deliver the same in payment for such real estate, or for the construction of any building or buildings, but in no case shall such bonds be disposed of at less than the par value thereof, and no contract shall be awarded until the contractor shall enter into bonds to such city in double the amount of any such contract, conditioned that such contractor shall fully perform all the obligations imposed upon him by such contract.

Sale of bonds.

SECTION 3. That said city council is hereby authorized to lease such real estate and buildings, if there be any, for such terms and on such conditions and reservations as may by it be determined by resolution; or such city council may sell and convey such real estate and buildings, if there be any, or any buildings that may be contracted for to be built, for such consideration and upon such terms, conditions and reservations, and to such person or persons, as may by it be determined by resolution.

Council authorized to lease or sell real estate and buildings.

SECTION 4. That the powers herein conferred shall in no case be exercised, in whole or in part, by the council of any such city until thereto authorized by a vote of the qualified electors of such city, taken at a general or special election held therein; that for the purpose of submitting such proposition to a vote of such electors, the clerk of such city, for that purpose, shall give notice of the time of holding such election, which shall be published in all the newspapers published in such city at least ten days prior to the day of holding such election; such election shall be held at the usual places of

Question to be submitted to vote.

holding elections, and by the officers authorized to preside at elections in such city. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of such city, who, with the mayor of such city, shall, at any regular or special meeting of the city council, and in the presence of a quorum of such council, proceed to canvass such vote, and the city clerk shall enter the number of votes cast for such proposition, and the number of votes against such proposition in such city, and if it shall appear by the returns of such election that a majority of all the electors voting at such election have voted in favor of such proposition, such city council shall be authorized to exercise the powers conferred by this act, and if a majority of such electors voting at such election shall not have voted in favor of such proposition, such council shall not exercise the powers conferred by this act. The ballots voted at such election shall have written or printed thereon the words, "For the issue of bonds—Yes;" and those against, "For the issue of bonds—No."

Resolution of
city council:
when it shall
take effect.

SECTION 5. That the resolution of such city council herein provided for shall forthwith be entered by the city clerk upon the ordinance book of such city, and shall take effect after its legal publication.

Contracts and
conveyances:
by whom
signed.

SECTION 6. That all contracts or conveyances authorized by this act shall, upon the part of such city, be signed by the mayor, countersigned by the clerk, and attested by the seal of such city; and the city council is hereby authorized to levy such tax, in addition to the rate now authorized by law, upon the taxable property of such city, each year thereafter, as may be necessary to pay the interest on such bonds as the same may become due, and to provide a sinking fund to pay the principal of such bonds at maturity.

Levy of tax.

SECTION 7. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
278G

[Senate Bill No. 319.]

AN ACT

To amend an act entitled "an act making appropriations for the last three-quarters of the fiscal year ending November 15, 1890, and the first quarter of the fiscal year ending February 15, 1891," passed April 25, 1890.

Correcting a
clerical error
in the general
appropriation
bill.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following item in "an act making appropriations for the last three-quarters of the fiscal year ending November 15, 1890, and the first quarter of the fiscal year ending February 15, 1891," passed April 25, 1890, under the head of state library, and reading as follows: "For expense in preparing and distributing advance sheets of federal census

of Ohio for 1890, five hundred dollars," be transposed under the head of "secretary of state" in said act.

SECTION 2. This act shall be in effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.

279G

[House Bill No. 124.]

AN ACT

To amend section 6923 of the Revised Statutes, as amended April 14, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6923 of the Revised Statutes be amended to read as follows:

Offenses
 against public
 health:

Sec. 6923. Whosoever puts the carcass of any dead animal, or the offal from any slaughter-house, or butcher's establishment, packing-house, or fish-house, or any spoiled meat, or spoiled fish, or any putrid substance, or the contents of any privy vaults, upon or into any lake, river, bay, creek, pond, canal, road, street, alley, lot, field, meadow, public ground, market space or common, and whoever being the owner or occupant of any such place, knowingly permits any such thing to remain therein, to the annoyance of any of the citizens of this state, neglects or refuses to remove or abate the nuisance occasioned thereby, within twenty-four hours after knowledge of the existence of such nuisance upon any of the above described premises, owned or occupied by him, or after notice thereof in writing, from any supervisor, constable, trustee or health officer of any municipal corporation or township in which such nuisance exists, or from a county commissioner of such county, shall be fined not more than fifty dollars nor less than ten dollars, and pay the cost of prosecution, and in default of the payment of said fine and costs, be imprisoned not more than thirty days, but the provisions hereinbefore made shall not prohibit the depositing of the contents of privy vaults and catch basins into trenches or pits not less than three (3) feet deep, excavated in any lot, field or meadow, the owner thereof consenting, outside the limits of any municipal corporation, and not less than thirty rods distant from any dwelling, well or spring of water, lake, bay or pond, canal, run, creek, brook or stream of water, public road or highway; provided, said contents deposited in said trenches or pits are immediately thereafter covered with dry earth to the depth of at least twelve inches; nor shall said provisions prohibit the depositing of said contents into furrows situate and distinct, as specified for said trenches or pits; provided, the same are immediately thereafter wholly covered with dry earth by plowing or otherwise; and provided, also, that the owner or occupant of the land in which

Unlawful de-
 posit of dead
 animals, offal
 etc., into or
 upon land or
 water.

said furrows are plowed consents, and is a party thereto; provided, also, that the board of health of any municipal corporation may allow said contents to be deposited within the corporate limits into trenches or pits or furrows, situate, distant and to be covered as aforesaid.

SECTION 2. That said section 6923, as amended April 14, 1888, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

280G

[House Bill No. 158.]

AN ACT

To repeal an act entitled an act to correct abuses of the appointing power by boards of county commissioners, passed April 12, 1889 (O. L., vol. 86, page 277).

Repeal

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act recited in the above title be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

281G

[House Bill No. 209.]

AN ACT

To amend section 6925 (as amended April 16, 1888, O. L. vol. 85, p. 286), and section 7231, and to enact supplementary sections 6920a, 6920b, and 6920c of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7231 and section 6925 (as amended April 16, 1888, O. L., vol. 85, p. 286), be amended, and that supplemental sections with sectional numberings as 6920a, 6920b, and 6920c, be added to section 6920, so as to read as follows:

Sec. 6920a. The county commissioners of any county, whenever there is a violation of any of the provisions of either of said sections named in section 6919, are authorized to employ and reasonably compensate, at such times as they may deem proper, one inspector of nuisances who shall be vested with police powers, and shall be authorized to examine all cases of violation of the provisions of said sections, and for such purpose and for the purpose of obtaining evi-

Inspector of
nuisances;
when and by
whom ap-
pointed; pow-
ers; duties, etc.

dence, he shall be fully authorized and empowered to enter upon the premises of any person in any county, and it shall be the duty of such inspector to make or cause to be made a complaint and to institute prosecution against any person or corporation violating the provisions of either of said sections, and such inspector shall not be required in the prosecution of any such proceeding to give security for costs

Sec. 6920b. The prosecuting attorney shall be the legal adviser of such inspector and the attorney in all such prosecutions, and in lieu of any percentage on fines and costs, he shall be allowed a compensation for such services by the county commissioners, to be paid out of the county treasury.

Prosecuting attorney made legal adviser of inspector : compensation.

Sec. 6920c. A judgment for fine and costs rendered against any person or corporation for the violation of the provisions of either of said sections mentioned in said section 6919, when the defendant has no property, or when the defendant has not a sufficient amount of property within the county upon which to levy to satisfy such judgment and costs, may be enforced and collected in the same manner as judgments are collected in civil cases, upon execution duly issued from any such court to any sheriff of any county of the state.

Judgment for fine and costs : how collected.

Sec. 6925. Whoever intentionally throws or deposits, or permits to be thrown or deposited, any coal dirt, coal slack, coal screenings, or coal refuse from coal mines, or any refuse or filth from any coal oil refinery or gas works, or any whey or filthy drainage from a cheese factory, upon or into any of the rivers, lakes, ponds, or streams of this state, or upon or into any place from which the same will wash into any such river, lake, pond or stream ; or whoever shall, by himself, agent or employe, cause, suffer or permit any petroleum or crude oil, or refined oil or refuse matter or filth from any oil well, or oil tank, or oil vat, or place of deposit of crude or refined oil, to run into, or be poured, or emptied, or thrown into any river, or ditch, or drain, or water-course, or into any place from which said petroleum, or crude oil, or refuse matter, or filth or refined oil may run or wash, or does run or wash into any such river, or ditch, or drain, or water-course, shall be fined in any sum not more than one thousand dollars nor less than fifty dollars ; and such fine and costs of prosecution shall be and remain a lien on said oil well, oil tank, oil refinery, oil vat and place of deposit, and the contents of said oil well, oil tank, oil refinery, oil vat or place of deposit, until said fine and costs are paid ; and said oil well, oil tank, oil refinery, oil vat or place of deposit, and the contents thereof, may be sold for the payment of such fine and costs, upon execution duly issued for that purpose.

Permitting emptying of coal dirt, petroleum, etc., into rivers, etc.

Penalty.

Sec. 7231. When an indictment is presented against a corporation, a summons commanding the sheriff to notify the accused thereof, and returnable on the seventh day after its date, shall issue on the precept of the prosecuting attorney ; such summons, together with a copy of the indictment, shall be served and returned in the manner provided for service of summons upon such corporation in civil actions ; and if the service can not be made in the county where the prosecution began, then the sheriff may make service in any county of

Summons and indictment against corporations.

the state upon either its president, secretary, superintendent, clerk, cashier, treasurer, managing agent, or other chief officer, or by a copy left at any general or branch office, or usual place doing business of such corporation, with the person having charge thereof; the corporation, on or before the return day of a summons duly served, may appear by one of its officers, or by counsel, and answer to the indictment by motion, demurrer or plea, and upon its failure to make such appearance and answer, the clerk shall enter a plea of "not guilty;" and upon such appearance being made, or plea entered, the corporation shall be deemed thenceforth continuously present in court until the case is finally disposed of.

SECTION 2. Said original section 7231 and said section 6925, as amended April 16th, 1888, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

282G

[House Bill No. 305.]

AN ACT

To amend section 2 of an act passed April 5, 1888 (O. L., v. 85, p. 158), entitled an act to amend sections 1, 2, 3, and 4 of an act entitled an act to amend sections 1, 2, and 3, of an act entitled an act to provide for the relief of indigent Union soldiers, sailors, and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines, passed March 4, 1887, as amended April 15, 1889; and to amend section 4 of an act passed May 19, 1886 (O. L., v. 83, p. 232), passed March 16, 1887 (O. L., v. 84, p. 100), as amended March 27, 1889, and April 15, 1889.

Indigent soldiers' relief fund:

Lists of persons entitled to relief: by whom made.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2 and 4 of the above entitled act be amended to read as follows:

Sec. 2. It is hereby made the duty of the soldiers' relief commission hereinafter provided, in each county in this state, as soon as practicable after the passage of this act, and annually thereafter on the first Monday in January in each year, to appoint for each township, in such county, and for each ward in any city in any such county, a soldiers' relief committee, consisting of three persons, residents of each such township and ward, who shall be honorably discharged Union soldiers, sailors or marines; provided, that if there are no such soldiers, or sailors or marines who [are] residents of any such township or ward, then there shall be appointed three reputable citizens, one of whom shall be designated as chairman of such township or ward soldiers' relief committee; and to fill all vacancies that may occur in any such committee, and to remove any member of any such committee for cause; and

provided further, that in any township or ward where there is located a post of the grand army of the republic, said township or ward committee shall be appointed on the recommendation of said grand army post; and it shall be the duty of each such township and ward soldiers' relief committee, in its respective township or ward, to receive all applications for relief, under the provisions of this act, from applicants residing in such township or ward, to examine carefully into the case of each applicant, and on the first Monday in May in each year, to make a list of the names of all indigent Union soldiers, sailors and marines, and the indigent parents, wives, widows and minor children of the same, who are residents in such township or ward, who have been bona fide residents of the state one year, and of the county six months, next prior to said first Monday in May, and who, in the opinion of any such township or ward relief committee, require aid, and are entitled to relief under the provisions of this act; and it shall be the duty of the chairman of each township and ward soldiers' relief committee, or other member of such committee authorized by such committee, to deliver such list to the soldiers' relief commission, hereinafter provided, or its secretary, on or before the last Monday in such month of May, together with a statement of each applicant for relief, of the income, if any, of the applicant, the amount of taxable property, real and personal, of stocks, bonds, moneys on hand, loaned or deposited in any bank or elsewhere, shares in building associations, mortgages, notes or other articles of value from which an income or revenue is derived by the applicant; said statements shall be made upon blanks which shall be furnished by the soldiers' relief commission, and shall be subscribed by the applicant; and in case any false statement is made therein by any applicant for relief, or guardian for such applicant, such applicant or guardian shall be deemed guilty of a misdemeanor, and, upon conviction before any court of competent jurisdiction, shall be fined in any sum not exceeding fifty dollars, nor less than twenty dollars, and be imprisoned in the county jail for a period not exceeding sixty days nor less than thirty days. And on said last Monday in May, said commission shall meet and determine from said lists the probable amount necessary for the aid and relief of such indigent persons for the ensuing year, together with an amount sufficient, in the judgment of said commission, to furnish relief to any such indigent persons not named in said lists, whose right to such relief shall be established to the satisfaction of such commission. Such commission, after determining the probable amount necessary for the purposes aforesaid, shall certify the same to the county commissioners of the county, who, at their June session, shall make such levies as shall be necessary to raise the required relief, not exceeding three-tenths, except in counties containing a national soldiers' home not exceeding five-tenths of a mill per dollar on the assessed value of the property of the county.

Annual report
of the chairman
of the relief
committee.

In case of false
statement by
applicant;
penalty.

Determination
of amount
necessary for
relief.

Amount to be
certified to
county commissioners;
due and
amount of
levy.

Determination
of amount to
be paid each
person or
family.

Lists of persons
to whom relief
is awarded:
their contents.

Amounts:
how and to
whom paid.

Increase or re-
duction of
allowance.

Sec. 4. The soldiers' relief commission shall meet at the office of the county commissioners, or in a suitable room furnished by them for that purpose, on the fourth Monday of November of each year, and at such other times as may be necessary, and examine carefully the several lists and statements of those reported by the township and ward soldiers' relief committees, and also the cases of all not included in the said lists, who, before and during their session, may have been recommended to said commission for aid under the provisions of this act; and being satisfied that those so recommended as aforesaid, or any of them are in need of assistance and are entitled thereto under the provisions of this act, shall fix the amount to be paid per month in each case to such person or family. Upon the conclusion of said examination and the determination of said monthly allowance, the commission shall make a complete list of those to whom relief has been so awarded, showing the monthly amount so awarded to each person, and, so far as practicable, the place of residence of each, and certify the same to the auditor of their county, who shall, within ten days thereafter, transmit to the township clerks, in his county, a list of the names of the persons in the respective townships, and the amount payable monthly to each; whereupon the auditor, on the first day of each month after said fund is ready for distribution, shall issue to the treasurer of each township his warrant upon the treasurer of the county for the amount awarded to the persons in such township, and such township treasurer shall disburse the same in the amounts and to the persons named in the list furnished to the township clerk as aforesaid, taking receipts therefor. Except that in all townships embracing a county seat, and in which the office of county treasury is kept, it shall be the duty of the county treasurer to disburse said fund to the persons named in the list to be furnished to him by the township or city clerk, the said county treasurer taking proper receipts therefor. And to each person certified by the commission to the auditor as aforesaid, and not included in any of the lists furnished to township clerks, the auditor shall issue his warrant upon the county treasurer for the monthly allowance awarded to such person; provided, that such commission, upon proper cause shown, may appoint some suitable person to draw, receipt for and properly expend the allowance made to any person under the provisions of this act, for the benefit of the person to whom the allowance has been made, and the indigent members of his or her family; and provided further, that on the recommendation of said township or ward committee, said commission, at any meeting, may increase, decrease or discontinue any allowance theretofore awarded, which action shall be by them certified to the county auditor, who shall amend his list in accordance therewith. And in case such change relate to the allowance to any person resident in any township the same shall be certified to the township clerk, who shall amend his list accordingly, and certify the same to the township treasurer, and if the amount due said township, after such change, increase the amount theretofore allowed said township, the

auditor shall issue to the township treasurer his warrant upon the county treasurer for such additional amount; provided further, that the commission may, at any time, in case of sickness, accident or great destitution, upon the recommendation of said township or ward committee, grant immediate relief to any person entitled thereto under the provisions of this act, under such rules as said commission may designate; and provided further, that if any money so awarded as relief shall not be called for by the applicant before the first Monday in December, annually, such amounts shall be paid into the county treasury to the credit of the relief fund; and provided further, that "township" as designated in section 2 of this act shall include no part of a township embraced within the limits of a city.

Disposition of
amounts un-
called for.

SECTION 2. That sections 2 and 4 of said act be and the same is[are] hereby repealed; saving from the operation of such repeal all acts done and allowances made by any soldiers' relief commission prior to the passage of this act.

Repeal.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.
283G

[House Bill No. 500.]

AN ACT

To provide for the observance of the first Monday in September of each and every year as a holiday.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the first Monday in September of each and every year, shall be known as labor day; and be, for all purposes whatever, except for the presentment for payment or acceptance, and the protesting or the giving of notice of non-acceptance or of non-payment of all negotiable instruments, considered as the first day of the week.

Labor day.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.
284G

[House Bill No. 568.]

AN ACT

For the relief of Orson Wheeler, private of company "A," 18th regiment of infantry, Ohio national guard.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of the state of Ohio be and he is

For the relief
of Orson
Wheeler.

hereby authorized and required to issue his warrant on the state treasurer to pay to Orson Wheeler, private of company "A," eighteenth regiment infantry, Ohio national guard, the sum of seven hundred dollars (\$700.00), which sum shall be in full liquidation and payment of said Orson Wheeler, for injuries and the loss of his right arm, caused by the premature explosion of a cannon, while in discharge of detail duty as a member of the Ohio national guard, at the annual encampment, at Caldwell, Ohio, in 1876.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
 285G

[House Bill No. 687.]

AN ACT

To provide for the indexing of land records in certain counties.

Providing for
 the indexing
 of land records
 in certain
 counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of any county containing a city of the second grade of the first class may provide for the indexing of all records of deeds, mortgages, and other instruments affecting the title to real estate in such county in the manner following: The names of all the parties to any such instrument shall be indexed direct and reverse, the christian names arranged in alphabetical order, and the surnames in like manner; such indexes shall also contain after each name indexed a reference to the volume and page of the record in which the instrument is recorded, the date of the instrument, the number of the original lot, tract, range, section or sub-lot; the name of the allotment or sub-division, together with the consideration, and said indexes shall also show what incumbrances have been canceled.

Indexes: to be
 kept up by
 county record-
 er.

SECTION 2. Such indexes, when completed, shall be kept up by the recorder of the county, in the manner above indicated, and it shall not be necessary to keep up any other indexes of such records in any such county; and for keeping up such index he shall receive the same compensation therefor as is provided by section 1155 of the Revised Statutes.

Compensation.

SECTION 3. The compensation for the services rendered under the first section of this act shall be paid from the general revenue fund of the county, but no additional levy shall be made in consequence thereof. And in the event that the county commissioners decide to have said work done, then said commissioners shall advertise for 20 days in two daily papers of opposite politics for sealed proposals, to do said work as provided herein, and shall let said work to the lowest bidder, but shall require him to give bond for the faithful performance of the contract according to its terms,

Letting of con-
 tract.

in such sums as the board may fix and said work shall be done to the acceptance of the board and county auditor. But the county commissioners shall have power to reject any or all bids.

SECTION 4. This act shall take effect upon its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
286G

[House Bill No. 726.]

AN ACT

To amend section 9 of an act passed March 26, 1888, entitled "an act to amend sections one, three, five and nine of an act entitled 'an act providing against the evils resulting from the traffic of intoxicating liquors,'" passed May 14, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 9 of an act passed March 26, 1888, entitled, "an act to amend sections one, three, five and nine of an act entitled 'an act providing against the evils resulting from the traffic of intoxicating liquors,'" passed May 14, 1886, be amended so as to read as follows: "Dow" law:

Sec. 9. That the revenues and fines resulting under the provisions of this act shall be distributed as follows, to wit: Distribution of tax.
In every county two-tenths of the money paid as herein provided into the county treasury on account of any business aforesaid carried on in any city, village, hamlet or township therein shall be passed to the credit of the general revenue fund of the state and paid into the state treasury by the county treasurer as is provided in other cases; six-tenths of the money so paid shall, upon the warrant of the county auditor, be paid on account of any business aforesaid carried on in any such municipal corporation into the treasury of said corporation, one-half to the credit of the police fund, and one-half to the credit of the general revenue fund thereof; provided, in corporations having no police fund the entire six-tenths shall be passed to the credit of the general revenue fund thereof; the remaining two-tenths part thereof together with all other revenues resulting hereunder in said county, shall be passed to the credit of the poor fund of said county; provided, that in all counties in which there is no county infirmary said remaining two-tenths part thereof shall be passed to the credit of the infirmary fund or the poor fund of the township, village or city in which the same shall have been collected; and in such counties, when the money is paid on account of any business carried on in any township outside of any such municipal corporation, said six-tenths, also, shall be passed to the credit of the infirmary fund or the poor fund of said township; and provided, that in counties having a city of the first grade of the first class with a city infirmary and a county infirmary, the above two-tenths part shall be di-

vided as follows: The city infirmity fund shall have passed to its credit two-tenths of all the money so paid in said city of the first grade of the first class; the county infirmity fund shall have passed to its credit two-tenths of all the money so paid in by any village, hamlet or township in said county outside of said city of the first grade of the first class; and the above six-tenths part of all the money so paid in by any township outside of any municipal corporation shall be paid into the treasury of such township, to be distributed by the order of the trustees of said township to the general revenue fund and poor relief fund, in such proportions as the said trustees may deem proper.

SECTION 2. This act shall [take] effect from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
 287G

[House Bill No. 756.]

AN ACT

Supplementary to an act entitled "an act to authorize the city council of any city of the second class and fourth grade, which by the federal census of 1880 had, and which by any subsequent federal census may have, a population of 6803, to borrow money and issue bonds therefor, for the purpose of sinking wells for natural gas, purchasing those already sunk, purchasing pipes already laid and buying and laying pipes, and supplying said city and the citizens thereof with natural gas for public and private use," passed April 10, 1888, and the act supplementary thereto, passed March 20, 1889.

Certain cities
 authorized
 to issue natural
 gas bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of any city of the fourth grade of the second class, which may have invested seventy-five thousand dollars in a natural gas plant under the acts to which this is supplementary, when the board of natural gas trustees have reported in writing to the council of any such city that additional gas wells will be necessary to supply all the citizens of such city with natural gas for domestic and manufacturing purposes, said council shall have power to issue an additional amount of bonds of said city, not exceeding twenty-five thousand dollars, at a rate of interest not exceeding six per cent. per annum, payable semi-annually. Said bonds shall be in like amounts as the bonds originally issued under this act, not to be sold for less than their par value, and to mature at such time as said city council may determine.

Question of
 issue to be sub-
 mitted to vote.

SECTION 2. Before issuing said bonds the proposition shall be submitted to the electors of said city in the manner and upon notice provided in the act to which this is supplementary, and upon a two-thirds of the electors voting at such election in favor of issuing said bonds, the same shall be issued as herein provided.

SECTION 3. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
 288G

[House Bill No. 780.]

AN ACT

To amend section 2926b of the Revised Statutes, as amended April 13, 1889 (86 v. 281, 282).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2926b be so amended [as] to read as follows:

Conduct of elections:

Sec. 2926b. In all such cities of the first and second class a "board of elections," to consist of four electors of such city, of well-known intelligence and integrity, two of whom shall belong to each of the two leading political parties, shall be appointed by the mayor. No person shall be appointed, or be a member of such board, who holds an office under the United States, the state of Ohio, except notaries public, or of such cities, or the county in which such city is situated, or who is employed in any department of such city or county, or by any officer of such city or county; and all votes cast at any election for any person who is, or, within three months next preceding such election, has been a member of such board, shall be absolutely void. In the appointment of such board of elections by such mayor, two members of different political parties shall be designated to serve for two years from the date of their appointment, and the other two, also to be of different political parties, shall be designated to serve for four years from that time; and biennially thereafter two members, of different political parties, shall be appointed in the manner as hereinbefore provided, for the term of four years. For misconduct or neglect of duty, such mayor may remove any member of said board; and any vacancy which may occur in such board, by the death, resignation, removal or disability of any of its members, shall be filled by appointment of such mayor, for the unexpired term of such vacancy or vacancies, and so that each political party shall always have an equality of representation in the said board, or as near as may be. Provided that the members of the boards, existing at the time of the passage of this act, shall continue in office until the expiration of their terms, unless removed for cause as provided by law. A secretary of such board shall be appointed by the members thereof, who shall be an elector of such city, fully qualified for such place, and who shall serve the same for the term of four years; but he may, for official misconduct, be removed by the board; the board shall appoint his successors, each for the same term of years, and in case of death, resignation or removal of the secretary, shall fill the vacancy for the unexpired

Board of elections: how constituted.

Removals; vacancies.

Exceptions as to application of this act.

Secretary.

His duties.

part of such term. The secretary shall, subject to the control of the board of elections, keep a full and true record of their proceedings, file and preserve in their office all orders, rules and regulations in anywise pertaining to the administration of registration and elections; prepare and furnish, under the orders of such board, all the registers, lists, books, maps, forms, oaths, certificates, instructions and blanks, for the use and guidance of registrars, judges and clerks of elections, and the board of canvassers; provide for timely furnishing of such officers therewith, and with all the necessary supplies provided for them; to receive and keep close custody of all the registers and copies returned to such office as provided herein, and of all records, papers and certificates of every kind relating to the office or administration of such board of elections; he shall also have the care of the ballot-boxes while deposited at the office of such board of elections; and he shall perform all such other or further duties pertaining to such office and affairs as shall be prescribed by such board. The board of elections shall have a sufficient and suitable office and rooms for the purpose herein required, which shall be in charge of their secretary, and shall be kept open daily, except Sundays and legal holidays, in cities of the first and second grades in the first class, and at such times as the board of elections may require in cities of the third and fourth grades in the first class, and first, second, third and fourth grades, in the second class. Each member of the board of elections and the secretary, shall, before entering upon the discharge of their office, take and subscribe an oath to support the constitution and the laws of the United States, and the state of Ohio, and faithfully discharge the duties of their office, and to make their utmost endeavors to secure fair and honest elections, which oath shall immediately be filed in the office of the city clerk of such city and be preserved by him.

Ballot-boxes,
etc.

Office of board.

SECTION 2. Said original section 2926b is hereby repealed. This act shall take effect from and after the first day of July, A. D. 1890.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

289G

[House Bill No. 801.]

AN ACT

To amend section 2926c, of the Revised Statutes, as amended April 13, 1889 (86 O. L. 281), section 2926g, of the Revised Statutes, as amended May 19, 1886 (83 v. 209, 214, 215, 216), section 2926h, of the Revised Statutes, as amended May 19, 1886 (83 v. 209, 216), and to repeal section 2926v, of the Revised Statutes, as amended April 13, 1889 (86 O. L. 281).

Conduct of
elections:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2926c, of the Revised Statutes, as amended April 13, 1889 (86 O. L. 281), section 2926g, of the Revised

Statutes, as amended May 19, 1886 (83 v. 209, 214, 215, 216), section 2926*b*, of the Revised Statutes, as amended May 19, 1886 (83 v. 209, 216), be amended so that said several sections read as follows:

Sec. 2926*c*. The members of the board of elections shall meet within ten days after their appointment, at the mayor's office of such cities in section 2926*a* provided, and organize by electing one of them president by ballot, and they shall also at that time elect a secretary as provided in section 2926*b* of the Revised Statutes. If they fail so to do within two hours after meeting, the president and secretary shall then be chosen by lot. No order, resolution, or action of such board shall be valid without the vote of three of the four members. Such board shall appoint all registrars of elections, judges and clerks of election and other clerks, officers and agents herein provided for, and designate the ward or precinct in which each shall serve. They shall also appoint the places of registration of electors, and holding elections in each ward or precinct, and hire suitable rooms for such purpose and for their own office, at such rents as they deem just; they shall also provide the necessary and proper furniture and supplies for such rooms, and for the purchase, preservation and repair of all ballot-boxes necessary for use at elections in such city, and all books, blanks and forms necessary for the registrations and elections herein designated, and for duly issuing all notices, advertisements or publications required by law. The board may, from time to time, make and issue all such rules, regulations and instructions, not inconsistent with law, as they shall deem necessary for governing or guiding their secretary and his deputy or assistants, and the registrars of electors and judges, and clerks of elections, or other persons under their control in the proper discharge of their respective offices and duties. They shall divide, define and proclaim the election precincts of such city, authorized in section two thousand nine hundred and twenty-six, and the boundaries thereof, and provide for furnishing to each registrar of electors and judges of elections a map and pertinent description of such division and boundaries, and of any changes which from time to time are made by them. When necessary, in cities of the first and second class, they may employ a deputy and one or more clerks as temporary assistants of their secretary, at a salary not to exceed the rate of one hundred dollars per month, and prescribe their duties. The period for which they are employed must always be fixed in the order authorizing their employment, but they may be discharged sooner, at the pleasure of the board. Such deputy-secretary, and all such assistants, shall take the oath above described.

Organization of board; its general powers and duties.

Rules and regulations.

Division of precincts.

Assistant secretaries.

Sec. 2926*g*. On or before the first day of September annually, the secretary, under the direction of the board of elections shall, in any city of the second class, in which registration is required, as provided in section 2926, prepare and furnish to the registrars so appointed for each precinct in any such city, duplicate lists of all electors so registered in such precinct at the last general registration, together with such new and additional ones as may have registered at any

Duplicate lists of electors to be furnished registrars.

Exceptions.**"Registers of electors."**

election subsequent to such general registration, with sufficient blank space for new electors to be registered therein, excepting that at every fourth year, when a general registration is required, as provided in section 2926A. And the board shall, on or before the first day of September annually, in cities of the first class, in which yearly registration is required, procure and have at their office, duplicate books for each and every election precinct, in any such city for the registration of electors therein, and which shall be styled and known as "registers of electors." Each register shall contain space and ruled lines for at least seven hundred names, and be arranged and ruled in parallel columns, with printed headings, in the following order: Number (consecutively), full name, age, term of residence, nativity, how long resident in precinct, in state, when naturalized, court, married or single, date of registration, sworn, signature, remarks; and the rulings and headings of each page of the register shall be according to the following diagram enlarged:

Number.	Full name.	Age.	Term of residence.		Nativity.	Naturalized.		Married or not.	Date of Registration.	Sworn.	Signature.	Remarks.
			State.	Precinct.		When.	Court.					

Rulings and
headings.

Duty of registrars.

And it shall be the duty of the registrars of each and every precinct in any such city to apply, on Wednesday in the fourth week before the November election, annually, for the lists and registers aforesaid, and the map of their precinct, and such printed instructions for the discharge of their duties as may be lawfully prescribed by such board.

Days for general registration.

Sec. 2926h. The days for the general registration of electors in cities of the second class, and for the additional yearly registration of new electors herein required in such cities, and also the yearly registration herein required in cities of the first class, in the several precincts in every such city, shall be Thursday in the fourth week, Thursday in the third week, Friday and Saturday in the second week next before the day of the general election in November in each year.

When secretary to act as registering officer.

Between the first day of September and the day preceding the first of the days above prescribed for the general registration, and no longer, the secretary of the board of elections shall act as a registering officer in the following cases only: Any person, resident of such city, who will be lawfully entitled to vote therein at the next succeeding election in November, may go before such secretary, at the office of such board, and on making and subscribing an oath or affirmation before him that he will necessarily and unavoidably be absent from such city on all the days appointed or allowed by this section for the general registration of electors by the registrars of the precinct in which he resides, specifying the same, and more than fifty miles distant therefrom, the secretary, if satisfied, shall thereupon file such affidavit and make registration of such person in the registers of such precinct, on compliance of such applicant with the foregoing requirements of this section for general registration, and his signature to the statement prescribed, and no further registry of such applicant shall be necessary; any elector of such city who is absent therefrom, and without the county in which it is situated, and more than fifty miles distant from such city, may appear before any judge or clerk of any court of record, or notary public, or, if in a foreign county [country], before any minister, consul, or vice-consul of the United States, and make and subscribe an affidavit to his residence, specifying in what precinct and that he will be necessarily and unavoidably absent from such city on all the days allowed or appointed by this act for the general registration of electors by the registrars in such precinct, and answering and setting forth accurately each and all the matters herein required to be set forth in the registry of electors, and forward such affidavit, duly authenticated as above, by mail, under an envelope addressed to the "secretary of the board of elections" of such city, the same, if received by such secretary between the days above appointed for his acting as registrar, shall entitle such applicant to be entered by the secretary in the proper register of such precinct; and in place of the signature of such elector, the word "affidavit" shall be inserted, and no further registry of such applicant shall be necessary; such affidavit and envelope shall be filed and preserved in such office; but no such affidavit shall be allowed by the secretary unless the officer before whom

Application for registration by mail to secretary.

"Affidavit."

it is made shall certify that the affiant is personally known to him to be the person he represents himself to be, or proven so to be by a credible person known to him, and whose name and full address must be stated in such certificate. Any such affidavit of an absent elector which shall be received by such secretary on or after the first of the days herein appointed for general registration by the registrars, shall be transmitted by him immediately to the registrars of the proper precinct, and they shall be authorized to register the applicant as above directed, and shall preserve such affidavit; provided, that in any case where application for registration is thus made by affidavits forwarded by mail, if the secretary or registrars, as the case may be, are not satisfied that such applicant is a resident of the precinct so specified, or that he will be entitled to vote on the day of the next election, the word "challenged" shall be entered in the register opposite his name, and in the column for "remarks," and such affidavit and envelope transmitted to the judges of election; and such applicant, if he appear, shall be required to establish his residence and qualification before voting. On the day preceding the first of the days herein appointed for the general registration the secretary of the board of elections, shall, in each and every register in which he has entered any registration of electors, as in this section provided, close the same by drawing double lines across the page with ink, immediately below the last name registered by him, and add the words, "close of registration by the secretary," and shall thereunto subscribe his name and office. A general registration of all elections [electors] of all cities of the second class, as provided in section 2926a, shall only be had at each and every presidential election, at the times and upon the days hereinbefore specified; and at all other state, April or any other public elections, those electors who have been duly registered at such general registration as herein provided, and have not removed from the precinct in which they then registered at said general registration in any such city, shall not be required to register; but at such state, April or any other public elections, at the times hereinbefore provided for registration days, only those electors of any such city shall be required to register, as may be new electors, or who have moved into any precinct of any such city, since any general, state or April registrations, and have not been registered therein, excepting that at such April or public election other than presidential and state, such registration shall take place on Friday and Saturday in the second week before any such election. And if any elector removes from the precinct in which he has so registered into another precinct of the city in which he resides, he shall apply in person to the registrars of the precinct in which he has so registered for a "removal certificate," as provided by section 2926k. Within a sufficient time previous to any such state, April or other public election, it shall be the duty of the registrars of each and every precinct in any such city to obtain the preceding register made by them from the board of elections, and attend at the place in such precinct appointed for the

Affidavit of absent elector to be transmitted by secretary to registrars.

Entry of "challenged" on register.

Close of registration by secretary.

General registration required every four years in certain cities.

Registration of new electors or of persons removing from one precinct to another.

registration of electors at the times hereinbefore provided, and receive applications for registration by such qualified electors residing therein as are not already registered at the last preceding general registration; it shall further be the duty of such registrars to take all such preceding registers of their respective precincts, so required to be furnished them by section 2926*g* of this act, and make a thorough canvass of their respective precincts, for the purpose of ascertaining whether or not any of the electors so registered have removed or died, and shall make a report of their proceedings, carefully noting any and all changes found, together with such additional names of electors registered by them, to the board of elections.

Repeal.

SECTION 2. That said original sections 2926*c*, 2926*g*, 2926*h*, of the Revised Statutes, and section 2926*v*, and any other or parts of other sections of the Revised Statutes not in harmony with the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect from and after its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

290G

[House Bill No. 811.]

AN ACT

Authorizing the grant of the right of way to the Columbus, Lima, and Milwaukee railroad company through certain lands belonging to the state, and the conveyance of part of said lands to said company.

Authorizing the grant of a right of way to the Columbus, Lima and Milwaukee railroad company through certain lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That on the payment into the state treasury by the Columbus, Lima and Milwaukee railroad company of such sums of money as may be agreed upon by the officers of the railroad company and the adjutant-general and attorney-general of the state, the governor be and he is hereby authorized and required by proper deed to grant to said railroad company and its assigns, a right of way sixty-six (66) feet wide, for said railroad, through and over the tract of land in Franklin county, known as the old state quarry tract, entering said tract on its north line at the point where said north line intersects the west bank of the Scioto river, in Franklin county, and thence following the meanderings of said river along its west bank, to the point where the south line of said tract intersects the west bank of the Scioto river, in Franklin county, being a distance of nine hundred and fifty (950) feet through said state quarry tract, and containing one and four hundred and thirty-nine one-thousandths (1.439) acres of land, more or less.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
 291G

[House Bill No. 819.]

AN ACT

To authorize cities of the first class, second grade, upon recommendation of the board of improvements, to cause the paving of avenues and streets, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the second grade of the first class, the city councils shall have authority, upon recommendation of the board of improvements, to cause any of the streets, avenues, alleys or parts thereof of such city, to be paved with stone or other permanent material, and wherever needed in connection therewith to grade, curb and gutter such streets, avenues or alleys, and to ordain that said improvements shall be paid for and assessed upon the property abutting on the same in accordance with the various provisions of this act, and in accordance with the various provisions of law now enacted or hereafter enacted applicable thereto and not inconsistent with this act.

Authorizing councils of certain cities to order the paving with permanent material of streets, etc.

SECTION 2. In order to provide for the payment of the costs and expenses of said improvements to be assessed on the abutting property, the councils may, from time to time (as such improvement progresses), issue the bonds of such cities in such sums as will be required, in all to an amount not exceeding the contract price of the work and the other expenses attending the same, and interest as hereinafter provided for; said bonds shall be issued as other bonds of such cities are issued, but they shall bear the name of the street or avenue or alley to whose improvement they are issued, and shall state therein that they are to be paid by an assessment upon the property abutting on the said improvement; said bonds shall extend a period of at least eight years, to be provided for in the ordinance directing the improvement; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, on the first day of July and January, and principal and interest payable at the office of the city treasurer.

Council authorized to issue the bonds of the city.

Bonds: how issued.

Time to run.

Interest.

SECTION 3. The said bonds shall be negotiated at not less than par, as the other bonds of such cities are negotiated, and the proceeds shall be applied solely to pay for said improvement, and the proceeds thereof shall only be paid upon the certificate of the city engineer, approved by the board of improvements, that the work has been done according to contract. When the whole work is done, the amount of the bonds sold to pay for the same, and the interest thereon to

How sold.

Disposition of proceeds of sale.

Determination of amount of assessments.

the next interest day, when assessments can be collected as hereinafter provided to pay the same, shall be taken as the cost of the said improvement to be paid by the abutting property-owners, and that amount shall be assessed equally by the foot front of property fronting or abutting on the said improvement.

Payment of assessments.

SECTION 4. Such assessment shall be placed upon the tax duplicate, and shall be payable in equal installments to meet said bonds provided for in the ordinance ordering said improvement at the county treasurer's office, with interest at the rate provided in said bonds, payable semi-annually, from the date to which such semi-annual interest was computed, on the amount of said bonds, or so much as remains unpaid, from time to time, until all said bonds and interest are fully paid.

Assessments to be a lien upon the property.

SECTION 5. Such assessments, with the interest accruing thereon, shall be a lien on the property abutting on the street, avenue, or alley, from the time the contract is entered into for the making of said improvement, and shall remain a lien until fully paid, having precedence of all other liens except taxes, and shall not be divested by any judicial sale unless the payment of the same is provided for from the proceeds of such sale; provided, such lien shall be limited to the usual depth of the lots or lands abutting on said improvement. No mistakes in the description of the property or the name of the owner or owners shall impair the said lien.

Right of property-owner to pay assessments at any time.

SECTION 6. Any owner of property, against whom an assessment shall have been made for such improvement, shall have the right to pay the same, or any part yet remaining unpaid, in full, with interest thereon, to the next semi-annual payment due on said assessment; such payment shall discharge the lien on the property. If any owner shall subdivide any abutting property after such lien attaches, he may discharge the same on any part thereof, in like manner.

Moneys from assessment to be used solely for payment of interest and bonds.

SECTION 7. All moneys received from such assessment shall be appropriated by the proper authorities of the cities solely to the payment of the interest and redemption of the bonds issued for said improvement, or any renewal thereof. If any bond or interest shall be due, and no money is in hand to pay the same, the cities shall be authorized to make a temporary loan to pay the same; but such lien shall continue in full force on the abutting property for the full assessment not paid, and accruing interest, for such temporary loan, in behalf of such city.

In case of a deficiency in fund.

Acceptance of work.

SECTION 8. When such improvement shall be completed to the acceptance of the board of improvement[s] and the city engineer, the same shall be certified by such board and engineer, and thereupon the city engineer and city auditor shall make a proper plat and assessment for said improvement on the abutting property.

Lack of formality not to vitiate lien.

SECTION 9. In any action to enforce or enjoin any assessment the court shall disregard any irregularity or defect, whether in the proceedings of the said board or council, or any officer of the corporation, or in the plans or estimates;

and the acceptance of the work by the board of improvements upon the certificate of the city engineer shall be presumptive evidence that the contract has been complied with, and the assessment exists; but if it be shown that there is any substantial defect of the improvement, or any fraud in the contract price of the work or materials, the court shall order such deduction therefor, from the cost of said improvement, and such deduction shall be ratably deducted from the assessments on all the property abutting on said improvement, and the court may make such order in regard to the costs, where such substantial defect or fraud is found, as to the court shall seem proper.

Deduction in case of substantial defect in improvement.

SECTION 10. The term owner in this act shall be construed to include all corporations, private, public, state or municipal.

Owner defined.

SECTION 11. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

292G

[House Bill No. 852.]

AN ACT

To authorize the trustees of the Ohio soldiers' and sailors' orphans' home to contract for water supply.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the Ohio soldiers' and sailors' orphans' home, be and they are hereby authorized and empowered to contract with the Xenia water company for a supply of water for said institution for a term of years not to exceed twenty years, and at a rate not to exceed fifteen cents per 1,000 gallons, for 1,000 gallons per day up to 20,000 gallons, and ten cents per 1,000 gallons, for 20,000 gallons per day and over.

Trustees of the O. S. and S. O. home authorized to contract for water supply.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

293G

[House Bill No. 864.]

AN ACT

To amend section 1623 of the Revised Statutes.

Merger of
township, etc.:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1623 of the Revised Statutes be and the same is hereby amended so as to read as follows:

In case of such
merger certain
offices to be
abolished.

Sec. 1623. When the corporate limits of a city or village become identical with those of a township, the office of township trustee, township treasurer, and township clerk in such township shall be abolished; and all the powers and duties of trustees of townships, conferred or prescribed by law, shall vest in and be performed by the council, except as to binding out apprentices and administering relief to the poor; and if such corporation is not already provided with an infirmary, the council shall forthwith, except in cities of the first grade of the second class, and from year to year, appoint one or more and not exceeding three, directors of the infirmary, and prescribe their duties by ordinance, and in cities of the first grade of the second class, the board of public works shall appoint such director or directors.

Directors of
infirmary.

Repeal.

SECTION 2. Said original section 1623 of the Revised Statutes is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

294G

[House Bill No. 875.]

AN ACT

To amend section 2805 of the Revised Statutes.

Boards of
equalization:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2805 of the Revised Statutes be amended so as to read as follows:

Annual city
board:

Sec 2805. In each city of the first and second class there shall be an annual board for the equalization of the value of real and personal property, moneys and credits in such city, to be composed (except in cities of the first grade of the first class) of the county auditor and six electors in such city appointed by council thereof, but in cities of the first grade of the first class the said board shall consist of six electors of such cities to be appointed by the comptroller of said city, and the appointment of said board shall be so made, and the vacancies shall be so filled that no more than three members thereof shall be of the same political party, faith and allegiance, the first appointments to be two for one year, two for two years and two for three years, and all the vacancies shall be filled for the unexpired

How consti-
tuted and or-
ganized.

term from the members of the same political faith whose term shall expire. Said board shall have all the powers, and be governed by the rules, provisions, and limitations prescribed in the next preceding section for the annual county board; each member of said board is authorized to administer oaths, and said board is empowered to call persons before them, and examine them, under oath, in regard to their own or others' property, moneys, credits, and investments, and the value thereof, and to equalize the value of real and personal property, moneys, credits, and investments within such city, and to order any property, credit or investment to be placed on the duplicate for taxation, and fix the value thereof according to law, which has not been listed for taxation, and to increase the value of such property, moneys, credits and investments, as have in their judgment, been listed at less than their true value in money, and to reduce the value of such property, moneys, credits, or investments as have been appraised above their true value in money, and shall annually meet, at the office of the county auditor, on the fourth Monday in May, except in cities of the first and second grades of the first class, when it shall meet on the fourth Monday in May, and shall close its session on or before the second Monday of September, except that in cities of the third grade of the first class, and in cities of the first and second grades of the second class, and cities having a population of twenty thousand and over by the last federal census, and which have not been by ordinance advanced to a city of the second grade of the second class, said board shall close its session on or before the first Monday of August; and in cities of the third and fourth grades of the second class, said board shall close its session on or before the fourth Monday of June then next following. For each day necessarily employed in the performance of their duties, the members of said board shall each receive, in cities of the first class, and the first and second grades of the second class, and in cities having a population of twenty thousand and over, ascertained as aforesaid, and which have not been advanced to a city of the second grade of the second class, the sum of five dollars per day, and in cities of the third and fourth grades of the second class the sum of three dollars per day, and in cities of the third and fourth grades of the second class, not county seats, the members of such board shall receive, in addition to the sum of three dollars per day, ten cents per mile traveling expenses going to said county seat; and in cities of the first class, first grade, the auditor shall receive no compensation as a member of the board, but the board may appoint all necessary messengers and clerks, not exceeding six of each, who shall receive three dollars per day for their services, for the time actually employed, which shall be paid out of the county treasury. The county auditor may act by his deputy or chief clerk in all city boards of equalization, and, in addition to the clerks herein authorized, the auditor of the county having a city of the first grade of the first class shall appoint a clerk, who shall be styled the chief clerk of the board of equalization, at a salary of five dollars for each day's services

Powers.

Annual meetings.

Compensation.

Clerks.

performed; and such boards shall each have the same powers as are conferred upon annual county boards by the next preceding section, and upon the complaint of the presiding officer thereof to the probate judge, the same proceedings shall be had against persons notified, and neglecting or refusing to appear before them, or refusing to swear, or answer questions, as is provided in section two thousand seven hundred and eighty-three; and county solicitors, or, where there is no such office, the prosecuting attorney of the county shall act as the legal adviser and attorney for the county board, and the city solicitor of the city board of equalization.

Legal adviser.

Repeal.

SECTION 2. Said original section 2805 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

295G

[House Bill No. 886.]

AN ACT

To amend section 4017 of the Revised Statutes.

Schools, and attendance enforced:

Board to control schools and appoint officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4017 be amended so as to read as follows:

Sec. 4017. The board of education of each district shall have the management and control of the public schools of the district, with full power, subject to the provisions of section 4018 to appoint a superintendent and assistant superintendents of the schools, a superintendent of buildings, and teachers, janitors, and other employees and fix their salaries or pay, which salaries or pay shall not be either increased or diminished during the term for which the appointment is made, but no person shall be appointed for a longer time than that for which a member of the board is elected; provided, that if any person is appointed to any position named in this section, for a longer period than one year, it shall require a majority of three-fourths of all the members elected to said board. At said appointment the clerk shall call publicly, the roll of all the members comprising the board and as each member's name is called he shall verbally announce the name of the candidate who is his choice, and the clerk shall enter on the records required to be kept the names of those voting, and for whom they voted.

Repeal.

SECTION 2. That section 4017 of the Revised Statutes, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

296G

[House Bill No. 895.]

AN ACT

To supplement an act entitled "an act to authorize villages of the first grade having a population at the last federal census of forty-four hundred and forty-five (4445) or which may have such population at any subsequent federal census, to issue and sell bonds not exceeding twenty-five thousand (\$25,000) dollars in amount, for the purpose of erecting and owning electric light plants."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sec[ti]on] four (4) of an act entitled "an act to authorize villages of the first grade having a population at the last federal census of forty-four hundred and forty-five (4445) or which may have such population at any subsequent federal census, to issue and sell bonds not exceeding twenty-five thousand (25,000) dollars in amount for the purpose of erecting and owning electric light plants," passed March 12th, 1890, be supplemented as follows:

Electric light plant:

Sec. 4a. That the council of such village be and they are hereby authorized to levy such tax not to exceed two (2) mills in addition to the rate now authorized by law upon the taxable property of such village each year thereafter as may be necessary to pay the interest on such bonds as the same may become due, and to provide a sinking fund to pay the principal of such bonds at maturity.

Levy of tax authorized in certain village.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
297G

[House Bill No. 900.]

AN ACT

To amend section 7790 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7790 of the Revised Statutes of this state be and the same is hereby amended so as to read as follows:

Canals:

Sec. 7790. If any person, in navigating or managing, or assisting in the navigation or management of any boat or other float, on either of the canals of this state, shall, through design or negligence, in the navigation or management thereof, fail or neglect to open or close any swing-bridge crossing either of the said canals, or shall injure, in such navigation or management, any lock, lock-gate, waste-gate, guard-gate, bridge, aqueduct or other work or device appertaining to either of said canals, such person shall, for every such offense, forfeit and pay the sum of twenty five dollars, as a penalty for such offense; and every master, owner or part owner of such boat or float, and also the boat or float itself, shall severally be

Injuring locks or other works.

liable for the payment of such penalties, and moreover be liable for the payment of all damages occasioned by such failure to open or close the said swing-bridges, or by such mismanagement or negligence.

SECTION 2. That said original section 7790 be and is hereby repealed; and this act shall take effect from and after its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

298G

[House Bill No. 926.]

AN ACT

To authorize the council of any incorporated village, having a population of eleven hundred and thirty-six (1136) at the last federal census, or at any subsequent federal census, to issue bonds for the purpose of general improvement and benefit of said village.

Authorizing
certain villages
to borrow
money for gen-
eral improve-
ments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village, having at the last federal census or at any subsequent federal census a population of eleven hundred and thirty-six (1136) are hereby authorized to borrow not to exceed ten thousand dollars (\$10,000 00), to be applied to the general improvement and benefit of said village.

Bonds.

SECTION 2. That for the purpose of meeting the expenses aforesaid the said council of such incorporated village are authorized to issue bonds to be signed by the mayor and attested by the clerk of said village, in denominations of such amount as the council of said village may deem best, bearing interest at a rate not to exceed six per cent. per annum payable semi-annually, said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value.

Levy of tax.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village, a tax in addition to the other taxes authorized to be levied or hereafter to be levied, until such payment is fully made.

Question to be
submitted to
vote.

SECTION 4. Before such bonds, or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of said village at a special election to be held at such time as the council of such village shall appoint. The tickets voted shall have written or printed thereon, the words, "Authority to issue bonds for general improvement and benefit of said village—Yes," or "Authority to issue bonds for general improvement and benefit of said village—No." If the proposition to issue bonds be approved by a two thirds vote of all those voting on the

said proposition, such village shall have authority to issue such bonds for the purposes provided in this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.

299G

[House Bill No. 928.]

AN ACT

To authorize township trustees in certain counties to borrow money and issue bonds and transfer funds for road purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of any township located in the counties of this state, containing a city of the first class, second grade, may if they so desire issue bonds in any sum not exceeding one thousand dollars, and at a rate of interest not exceeding six per cent. per annum, for the purpose of making, repairing and putting in good condition the public highways in said townships that have been damaged by the excessive rains of the last winter.

Certain townships authorized to issue road improvement bonds.

SECTION 2. The township trustees of said townships for the purpose of paying the principal and interest upon said bonds, are hereby authorized to levy a tax on all the taxable property of said township of a sufficient amount not exceeding one-fourth of a mill on the dollar in any one year to pay said bonds, within two years from the date of the same, and the amount so received shall not be applied to any other purpose than that which is specified in this act.

Levy of tax.

SECTION 3. That if there is a surplus of any of the funds, other than the road fund of said township, and the same can be transferred to the road fund for the year A. D. 1890, without injury to said other funds, the said township trustees of any of said townships are hereby authorized to transfer from said other funds, to the road fund any sum or sums, so that the whole amount so transferred shall not exceed one thousand dollars, but in no case shall the said trustees issue bonds, and transfer funds for the same purpose, when the whole amount will exceed said one thousand dollars.

Transfer of funds.

SECTION 4. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.

300G

liable for the payment of such penalties, and moreover be liable for the payment of all damages occasioned by such failure to open or close the said swing-bridges, or by such mismanagement or negligence.

SECTION 2. That said original section 7790 be and is hereby repealed; and this act shall take effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
298G

[House Bill No. 926.]

AN ACT

To authorize the council of any incorporated village, having a population of eleven hundred and thirty-six (1136) at the last federal census, or at any subsequent federal census, to issue bonds for the purpose of general improvement and benefit of said village.

Authorizing
certain villages
to borrow
money for gen-
eral improve-
ments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village, having at the last federal census or at any subsequent federal census a population of eleven hundred and thirty-six (1136) are hereby authorized to borrow not to exceed ten thousand dollars (\$10,000 00), to be applied to the general improvement and benefit of said village.

Bonds.

SECTION 2. That for the purpose of meeting the expenses aforesaid the said council of such incorporated village are authorized to issue bonds to be signed by the mayor and attested by the clerk of said village, in denominations of such amount as the council of said village may deem best, bearing interest at a rate not to exceed six per cent. per annum payable semi-annually, said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value.

Levy of tax.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village, a tax in addition to the other taxes authorized to be levied or hereafter to be levied, until such payment is fully made.

Question to be
submitted to
vote.

SECTION 4. Before such bonds, or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of said village at a special election to be held at such time as the council of such village shall appoint. The tickets voted shall have written or printed thereon, the words, "Authority to issue bonds for general improvement and benefit of said village—Yes," or "Authority to issue bonds for general improvement and benefit of said village—No." If the proposition to issue bonds be approved by a two thirds vote of all those voting on the

said proposition, such village shall have authority to issue such bonds for the purposes provided in this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
299G

[House Bill No. 928.]

AN ACT

To authorize township trustees in certain counties to borrow money and issue bonds and transfer funds for road purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of any township located in the counties of this state, containing a city of the first class, second grade, may if they so desire issue bonds in any sum not exceeding one thousand dollars, and at a rate of interest not exceeding six per cent. per annum, for the purpose of making, repairing and putting in good condition the public highways in said townships that have been damaged by the excessive rains of the last winter.

Certain townships authorized to issue road improvement bonds.

SECTION 2. The township trustees of said townships for the purpose of paying the principal and interest upon said bonds, are hereby authorized to levy a tax on all the taxable property of said township of a sufficient amount not exceeding one fourth of a mill on the dollar in any one year to pay said bonds, within two years from the date of the same, and the amount so received shall not be applied to any other purpose than that which is specified in this act.

Levy of tax.

SECTION 3. That if there is a surplus of any of the funds, other than the road fund of said township, and the same can be transferred to the road fund for the year A. D. 1890, without injury to said other funds, the said township trustees of any of said townships are hereby authorized to transfer from said other funds, to the road fund any sum or sums, so that the whole amount so transferred shall not exceed one thousand dollars, but in no case shall the said trustees issue bonds, and transfer funds for the same purpose, when the whole amount will exceed said one thousand dollars.

Transfer of funds.

SECTION 4. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
300G

[House Bill No. 935.]

AN ACT

To provide for the abolition of boards of health in certain municipalities.

Authorizing
the abolition
of boards of
health in cer-
tain villages.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all incorporated villages of this state, having at the last federal census, not more than 1,781 inhabitants located in any county containing a city of the first class, second grade, the council may upon appointment of a suitable committee from its own members to look after the sanitary affairs of the said village, by resolution concurred in by at least three-fourths of all the members elected to such council, declare the board of health of said village no longer needed and abolish the same; provided that nothing herein shall be so construed as to prevent the appointment of such board of health at any time hereafter by the said council whenever in their judgment the best interests of the municipality demand[s] it.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

301G

[House Bill No. 938.]

AN ACT

To appropriate money to pay claims.

Preamble.

WHEREAS, Certain persons hereinafter named, were damaged by an overflow of the Miami and Erie canal, in Cincinnati, upon the night of July 19th, 1889, and

WHEREAS, A commission duly appointed by Governor Campbell, under section 7703, Revised Statutes of Ohio, composed of Michael Ryan, of Hamilton county, John W. Davis, of Clermont county, and George W. Watermann, of Lucas county, has found that the state of Ohio, is liable for said injuries and has assessed the damages as follows:

To Daniel Metz, \$1,725.00.

Maescher and Company, \$850.00.

Meyer and Huschart, \$700.00.

J. H. McCabe, \$400.00.

John Pohlmann, guardian of Alice Metz, \$350.00.

Mrs. Fred. Weber, \$50.00.

Adolph Suhre, \$375.00.

Total, \$4,450.00. And

WHEREAS, The costs incident to the ascertainment of the damages amount to \$225.55, and

WHEREAS, Section 7703, Revised Statutes, makes it the duty of the board of public works to pay such damages and the costs incident to their ascertainment out of the money appropriated by the general assembly for that purpose, therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be appropriated from any money in the treasury not otherwise appropriated the sum of \$4,675.55, to pay said damages and costs, said moneys to be paid under the warrant of said board of public works.

Appropriation to pay claims for damages by overflow of the Miami and Erie canal.

SECTION 2. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
302G

[House Bill No. 601.]

AN ACT

To amend and supplement section 4020 of the Revised Statutes of Ohio, as amended April 22, 1885 (O. L., v. 82, p. 142).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4020 of the Revised Statutes of Ohio, as amended April 22, 1885, be so amended as to read as follows, and that other sections of this act be enacted as supplementary to said section, with sectional numbering as herein provided:

Schools, and attendance enforced:

Sec. 4020. The state commissioner of common schools shall, within thirty days after the passage of this act, procure as near as he can one copy of the latest and best edition of each of the school text-books in use, so far as he can learn, in the public schools in this state, and thereupon the governor, said commissioner, and the supervisor of public printing, who together with two other persons, to be appointed by the governor, one from each of the two leading political parties, one of said persons to be a practical educator and the other a practical business man, constituting a board for the purposes herein named, to be known as the school book board, shall secure all such information as may be necessary to fully advise them, and within sixty days after the passage of this act, fix the price not to exceed which each of said text-books may be sold to and purchased by boards of education as herein provided, but the price so fixed on any book, shall not exceed eighty per cent. of the present lowest price thereof, at which such book is now sold by the publisher thereof to dealers, and the concurrence of four members shall be necessary for a decision of all questions. Four of said board shall constitute a quorum for the transaction of business and the governor shall be president of said board, and said commissioner secretary thereof, and he shall keep a record of all the proceedings of said board and write in each of said books so procured by him the said price so fixed, and preserve said books in his office;

School book board established.

Maximum price of school books.

In case of revision, etc.

and as revisions of such books may be made or new school text-books may be placed on the market from time to time deserving, in the opinion of the board, to be considered, the commissioner shall, in like manner, procure copies thereof and the board shall, in like manner as aforesaid fix the maximum price thereof at which the same may be sold and purchased as aforesaid.

Proposals by publishers.

Sec. 4020a. That whenever the maximum price of the books now in use, as aforesaid has been so fixed by said board, the said commissioner shall forthwith notify the publishers of such books of the action of said board and of the price so fixed on each book published by such publisher, and invite each to submit in writing to said board, without delay, a proposal as to what books, which shall in all respects be exact duplicates of those so on file with said commissioner, they will furnish to the state as herein provided at a price not exceeding that so fixed for the period of five years, in such quantities and at such times as they may be ordered as herein provided (giving the name and address of such publisher) the board of education making the order to pay all costs of transportation, and at the expiration of ninety days from the passage of this act said school book board shall meet and consider all such proposals submitted, and if the board is of the opinion that from the proposals thus received the public schools of the state can be well supplied with good school books equal to the necessities and best interest thereof, said school book board shall make and enter an order that said proposals be accepted, and such proposals shall be recorded and preserved, and each publisher submitting a proposal so accepted shall be bound thereby and by the provisions of this act for the period of five years from the date of such acceptance, and the state shall be bound to see that payment for books so ordered, as herein provided, shall be made as herein provided, and any publisher failing or refusing to promptly fill any order or ship any books ordered as herein provided, included in his said accepted proposal, shall forfeit and pay to the state of Ohio five hundred dollars for each failure, to be recovered in the name of the state in an action to be brought by the attorney-general in the court of common pleas of Franklin county, or in any other proper court, or in any other place where service can be made, and the amount when collected shall be paid into the state treasury to the credit of the common school fund of the state.

Acceptance of proposals.

Penalty for failure to fill order.

Notification to boards of education of action of school book board.

Sec. 4020b. That in case of such proposals being presented to said board to the extent aforesaid, and said board accepts the same as aforesaid, the said commissioner shall forthwith make out a complete list of the books named in such accepted proposals, fully describing each, and giving the price so fixed thereon, and the name and address of the publisher of each book, and the same shall contain such further information as the commissioner may deem necessary, and he shall at once transmit by mail, to each board of education in this state a copy of such statement, and such board shall preserve the same and enter it on its record in full, and such commissioner shall, in like manner, from time to time, make

and forward any additional statements concerning the action of said board authorized hereunder, that may be necessary to fully advise the several boards of education in relation to any such action. Each board of education in this state, upon receiving the statements first above mentioned from said commissioner, shall at the next regular meeting, determine by a majority vote of all the members elected, the studies to be pursued, and which of said text-books contained in said list so furnished it, shall be used in the schools under its control; but no text-book so adopted shall be changed, nor any part thereof altered or revised for five years after the time of the acceptance by said school book board of said propositions, without the consent of three-fourths of all the members elected, given at a regular meeting; and all branches shall be taught in the English language, and each board of education shall cause it to be ascertained, and at the regular meeting in April and September, shall determine which and the number of each of said books the schools under its charge will require, until the next regular meeting in April and September, and shall cause an order to be drawn for the amount in favor of the clerk of the board of education, payable out of the contingent fund; and said clerks shall at once order said books so agreed upon by the board of the publisher, and the publisher, on receipt of such order shall ship such books to said clerk without delay, and the clerk shall forthwith examine such books, and if found right, and in accordance with said order, remit the amount to the said publisher, and the board of education shall pay all charges for the transportation of such books, out of the school contingent fund; but if said boards of education can at any time secure of the publisher the books so adopted by the board, at a price less than said maximum price, it shall be its duty so to do, and may, without unnecessary delay, make effort to secure such lower price before adopting any particular text-books. Each board of education shall have power to, and shall make all necessary provision and arrangements to place the books so purchased, within easy reach of and accessible to all the scholars in their district, and for that purpose may make such contracts, and take such security as they may deem necessary for the custody, care and sale of such books, and accounting for the proceeds; but not to exceed ten per cent of the cost price shall be paid therefor, and said books shall be sold to the pupils of school age in the district, at the price paid the publisher and not to exceed ten per cent. thereof added, and the proceeds of such sale shall be paid into the contingent fund of such district, and whoever receives said books from the board of education for sale as aforesaid to the pupils, and fails to account honestly and fully for the same, or for the proceeds to the board of education when required, shall be guilty of embezzlement and punished accordingly. Provided, however, boards of education may contract with local retail dealers, to furnish said books at prices above specified; such dealers becoming responsible to the publishers for all books purchased by them. And when pupils remove from any district and have text-books of the kind adopted in

Adoption of books by boards of education.

Change of books within five years.

How order for books to be made.

Boards of education must secure lowest rates possible.

Distribution of books among pupils.

In case of removal of pupils.

such district, and not being of the kind adopted in the district to which they remove, and wish to dispose of the same, the board of the district from which they remove, when requested, shall purchase the same at the fair value thereof, and resell the same as other books; and nothing in this act shall prevent the board of education from furnishing free books to indigent pupils, as provided by law.

Action of commissioner if no proposals accepted.

Proposals to be invited:

From publishers.

From authors.

From persons willing to undertake compilation.

Bond.

Bids to be in force until close of legislative session, 1891.

Board to ascertain certain things.

Sec. 4020c. That in case no proposals as aforesaid are submitted to said school book board, or if those submitted, in the opinion of said board, are not sufficient, or of a kind or character equal to the public necessities and fully supplying the wants and demands of the public schools of this state, then said commissioner shall forthwith advertise, for three consecutive weeks, in one daily paper in each of the following cities, Columbus, Cincinnati, New York, Philadelphia, Chicago and Boston (dividing the same equally between the papers of the two leading political parties), that at a time and place named in the notice fixed by said board, to be not later than six months after the passage of this act, said board will receive sealed proposals as follows:

First. From the publishers of school books for the furnishing of books to the boards of education of this state, in the manner provided in this act, for the term of five years after the passage of this act, stating specifically in such bid the price at which each book will be furnished as hereinabove provided, and accompany such bid with specimen copies of each and all books proposed to be furnished in such bid.

Second. From authors of school text-books who have or may prepare manuscripts of books not published, for prices at which they will sell their manuscript, together with the copyright of such books, for use in the public schools in this state.

Third. From persons who are willing to undertake the compilation of a book, or books, or a series of books, similar and equal to that of the best text-books now in use in this state, describing the same in detail, and giving the price at which they are willing to undertake such compilation of any or all of such books, to the acceptance and satisfaction of said board, or such board as may be provided hereafter by law; provided, that any and all bids by publishers provided for in this section shall be accompanied by a bond in the penal sum of ten thousand dollars, with surety to the acceptance of said board, conditioned that if any contract be awarded him or them on such bid, as herein provided, such bidder will enter into a contract agreeably to the conditions of the bid and the provisions of this act; and all such bids shall remain in force and continue until the close of the adjourned session in the year A. D. 1891, of this general assembly, and shall be subject to such supplementary legislation on the subject hereof as may be enacted at such adjourned session, not inconsistent herewith or with such bids, and said board shall also ascertain as near as may be, the number and kinds of school books that would be necessary to properly supply the public schools, and what it would

cost for paper, printing and binding such books, separating the items, and such other items and information as may be of advantage, and said board shall make full report of all the foregoing, with such suggestions and recommendations, and further information as they may be able and deem necessary to the adjourned session of this general assembly; all subject to such further action and legislation as may be deemed necessary, and not inconsistent with the provisions of this act.

Sec. 4020d. That for the purposes of carrying into effect the provisions of this act, there be and is appropriated out of any money in the state treasury to the credit of the general revenue fund not otherwise appropriated, the sums following, to-wit: For the expenses of said board five hundred dollars; for clerical services two hundred dollars; for the state commissioner of common schools for services hereunder, three hundred dollars; and for the supervisor of public printing for his services hereunder, two hundred dollars; each to be paid quarterly, on the certificate of the whole board. The said two members appointed by the governor as hereinbefore provided shall each receive the sum of five dollars per day for the time they are actually engaged.

Appropriation
to meet ex-
penses of
board.

SECTION 2. That section 4020 of the Revised Statutes as amended April 22, 1885, be and is hereby repealed; and this act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
303G

LOCAL AND SPECIAL ACTS.

[House Bill No. 35.]

AN ACT

To authorize the commissioners of Warren county to issue bonds and borrow money.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Warren county, Ohio, are hereby authorized and empowered to issue the coupon bonds of said county in an amount not to exceed sixty thousand dollars (\$60,000), in addition to the amount now authorized by law, which bonds shall be of the denomination of five hundred dollars (\$500) each, and payable at the treasury of said county, with interest at the rate of six per cent. per annum, payable semi-annually, on the first day of April and the first day of October of each and every year, until said bonds shall have been paid.

SECTION 2. Said bonds shall have coupons attached thereto, representing the semi-annual interest thereon, as it shall become due, and said bonds shall not be sold for less than their par value, and in the manner provided by law.

SECTION 3. The commissioners and auditor of said county are hereby constituted a board, and authorized to apportion the money arising from the sale of said bonds among the several funds of said county in proportion to the requirements thereof, as may be determined by the judgment of said board.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Passed January 16, 1890.

1L

[House Bill No. 29.]

AN ACT

To authorize the council of the city of Norwalk to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Norwalk, in the county of Huron, is hereby authorized to transfer the sum of twelve hundred dollars from the bridge fund of said city to the general fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 ELBERT L. LAMPSON,
President of the Senate.

Passed January 27, 1890.

2L

[House Bill No. 47.]

AN ACT

To authorize the council of the village of Leetonia, in Columbiana county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Leetonia, Columbiana county, Ohio, is hereby authorized and empowered to transfer the sum of two hundred dollars from the prison fund to the fire fund, and five hundred dollars from the police fund to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 ELBERT L. LAMPSON,
President of the Senate.

Passed January 27, 1890.

3L

[House Bill No. 54.]

AN ACT

To authorize the city of Zanesville to issue bonds for the purpose of purchasing a site and erecting thereon a hose house and appurtenances for public use.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Zanesville, Ohio, be and it is hereby authorized and empowered to issue the bonds of said city in a sum not exceeding ten thousand dollars, in denominations of not more than one thousand dollars each, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, and redeemable at a period not exceeding twenty years from the date of issue. Said bonds shall be signed by the mayor and countersigned by the clerk of said city, and shall not be sold for less than their par value, and may be issued and sold at such times and in such amounts as the council of said city shall determine by ordinance.

SECTION 2. The money arising from the sale of said bonds shall be used by the council of said city for the purpose of purchasing a site and erecting thereon a hose house and appurtenances and for no other purpose whatever.

SECTION 3. Whenever the bonds of said city shall be issued as provided by this act, it shall be the duty of the council thereof to levy a tax, not exceeding one mill on the dollar in any one year, in addition to the amount already allowed by law, on all the taxable property of said city,

sufficient to pay the interest accruing semi-annually on said bonds so issued and to create a sinking fund for the payment of the principal thereof as the same shall fall due.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 ELBERT L. LAMPSON,
President of the Senate.

Passed January 27, 1890.

4L

[House Bill No. 59.]

AN ACT

To authorize the village council of the village of Coshocton, Ohio, to construct a complete system of water-works for said village, or to contract for [the] supplying of said village and its inhabitants with water, and to issue the bonds of said village to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the village of Coshocton, Coshocton county, Ohio, be and it is hereby authorized and empowered to construct a system of water-works for said village; or to contract with any individual or individuals, or incorporated company, for supplying said village and its inhabitants with water.

SECTION 2. Said village council is hereby authorized and empowered to issue the bonds of said village in any sums necessary to construct such system of water-works, or to carry out the provisions of any such contract for supplying said village and its inhabitants with water, that may be made by said council; but the amount of such bonds shall in no case exceed the sum of one hundred thousand dollars, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be of such denominations, and payable at such times, as said village council shall, by resolution, prescribe.

SECTION 3. The money arising from the sale of said bonds shall be used for the purpose of constructing such system of water-works, or for the purpose of supplying said village with water under any such contract contemplated by the preceding sections of this act. Said bonds shall be signed by the mayor of said village and attested by the clerk thereof and the seal of said village, and when said bonds are sold the proceeds shall be paid to the treasurer of said village, who shall hold and disburse said proceeds as other funds of said village are by him held and disbursed.

SECTION 4. If any bonds of said village be issued as hereinbefore provided, said village council is hereby authorized and required, annually thereafter, until said bonds and the interest thereon shall be fully paid, to assess and levy a tax on all the taxable property in said village, sufficient, in addition to any net income that may be derived from such water-works, to provide for the payment of the interest accruing upon said bonds so issued, and also to provide, by means of a sinking fund, or otherwise, for the payment of the principal of such bonds as they mature; and in case any such contract is entered into for supplying said village with water, said council shall levy a tax, annually, sufficient to pay said rental.

SECTION 5. For the purposes of carrying out the provisions of this act, the council, mayor, clerk and other officers of said village shall be exempt from the provisions of sections 1691, 2434 as amended January 29th, 1885, 2687, 2702 as amended April 15th, 1889, and 3551 of the Revised Statutes.

SECTION 6. In case said village shall construct and own water-works, and the rentals from the same shall not be sufficient to pay the running expenses thereof, then said council of said village is hereby authorized and empowered to levy a tax sufficient to meet such expenses or deficiency.

SECTION 7. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Passed January 27, 1890.

5L

[House Bill No. 65.]

AN ACT

To authorize the council of the incorporated village of Huron to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Huron, in the county of Erie, is authorized to transfer the sum of two thousand five hundred dollars from the general corporation fund to the street improvement fund, and the sum of fourteen hundred hundred dollars from the police fund to the sewer fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Passed January 27, 1890.

6L

[House Bill No. 74.]

AN ACT

To authorize the village council of the incorporated village of Millersburg, Holmes county, to issue bonds for the purpose of finishing, heating, lighting and furnishing the village hall now under contract by said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the incorporated village of Millersburg, Holmes county, be authorized to borrow money and issue bonds therefor, not to exceed ten thousand dollars, for the purpose of finishing, heating, lighting and furnishing the village hall now under contract by said village; said bonds to be of such denomination as said council may deem proper, and shall run for a period not exceeding ten years, to bear interest not to exceed six per cent. per annum, interest to be paid semi-annually, to be signed by the mayor of

said village and countersigned by the clerk thereof, and to be sold according to law, at not less than their par value.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Passed January 27, 1890.

7L

[House Bill No. 85.]

AN ACT

To authorize the township trustees of Ottawa township, in the county of Allen, state of Ohio, to transfer certain funds to the poor and township funds in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Ottawa township, in Allen county, is hereby authorized to transfer to the poor fund in said township, from the bond redemption fund, the sum of seven hundred and forty-eight and eighteen one-hundredths (\$748.18) dollars, and to transfer to the township fund in said township, from the bond redemption fund, the sum of six hundred and forty-eight and eighteen one-hundredths (\$648.18) dollars.

SECTION 2. This act shall take effect from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Passed January 27, 1890.

8L

[House Bill No. 93.]

AN ACT

To authorize the council of the incorporated village of Delphos, Allen and Van Wert counties, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Delphos, Allen and Van Wert counties, Ohio, be and is hereby authorized to transfer from the general funds of said village to the light fund of said village, a sum not to exceed \$2,000 as the council may declare by ordinance from time to time, as the said council may deem necessary.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Passed January 27, 1890.

9L

[House Bill No. 96.]

AN ACT

To authorize the county commissioners of Montgomery county, Ohio, to refund to Hiram Killian part of certain money paid by him to said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Montgomery county, Ohio, be and they are hereby authorized and directed to pay out of the general fund of said county to Hiram Killian the sum of four hundred dollars, being part of the sum of five hundred dollars paid by him for forfeited recognizance of James Killian who subsequently pleaded guilty to the charge against him in the case in which said recognizance was forfeited.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

ELBERT L. LAMPSON.

President of the Senate.

Passed January 27, 1890.

10L

[House Bill No. 97.]

AN ACT

To authorize the county commissioners of Montgomery county to pay a salary to a person acting as common pleas judge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Montgomery county, Ohio, be and they are hereby authorized and directed to pay out of the general fund of said county, for a period not exceeding six months, to such person as they may select to act for said time as common pleas judge in said county, a sum not exceeding the amount now paid to common pleas judges in this state for a like period of time.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Passed January 27, 1890.

11L

[House Bill No. 15.]

AN ACT

To authorize the council of the village of Miamisburg, Montgomery county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Miamisburg, Montgomery county, Ohio, is hereby authorized to transfer eight hundred dollars from the police fund, and four hundred dollars from the general expense fund, to the street improvement fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.
12L

[House Bill No. 36.]

AN ACT

To authorize the village of Jerry City, Wood county, Ohio, to use any funds in the corporation treasury to erect a building to be used as town hall, mayor's office and jail.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Jerry City, Wood county, Ohio, be and the same hereby is authorized to use any funds in the treasury of the corporation, not exceeding the sum of one thousand dollars, and not otherwise appropriated, to erect a building to be used by said corporation for a town hall, mayor's office and jail.

SECTION 2. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.
13L

[House Bill No. 44.]

AN ACT

To authorize the council of the incorporated village of Delta, Fulton county, Ohio, to issue bonds for the purpose of paying a judgment of damages for injuries received from a defective sidewalk.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Delta, Fulton county, be and hereby is authorized to issue the bonds of said village in the sum of one thousand (\$1,000) dollars, in denominations of two hundred dollars each, bearing interest at a rate not exceeding six (6) per cent. per annum from date of issue, payable annually, or as the council may direct, the proceeds of such bonds to be used for the purpose of paying a judgment of one thousand (\$1,000) dollars of damages for injuries received by a defective sidewalk.

SECTION 2. Said bonds shall be signed by the mayor of said village, countersigned by the clerk of said village, and shall not be sold for less than their par value. The principal shall be payable within five years from the date of said bonds, or as the council shall direct, and the council of said village is hereby authorized to levy a tax upon all taxable property of said village, in excess of that now authorized by law to be levied, to pay said bonds and interest as the same become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.

14L

[House Bill No. 49.]

AN ACT

To authorize the board of education of Delta special school district, Delta, Fulton county, to borrow money to furnish heat and ventilate school building, and buy additional grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of Delta special school district, of Delta, Fulton county, be and is authorized to issue the bonds of said district in the sum not exceeding five thousand (\$5,000) dollars, in denominations of one thousand (\$1,000) dollars, bearing interest at a rate not exceeding six (6) per cent. per annum from date of issue, payable annually, or as the school board may direct. The proceeds of such bonds to be used for the purpose of furnishing, heating and ventilating the school building of said district, and buying additional grounds.

SECTION 2. Said bonds shall be signed by the president and countersigned by the clerk of said board, and shall not be sold for less than their par value. The principal shall be payable within twenty (20) years from the date of said bonds, as the said school board shall determine, and the school board of said special school district is hereby authorized to levy a tax upon all the taxable property of said school district, in excess of that now authorized by law to be levied, to pay said bonds and interest as the same become due.

SECTION 3. This act shall take effect and be in full force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.

15L

[House Bill No. 72.]

AN ACT

To authorize the village of Salineville, Ohio, to issue bonds to erect or purchase an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the village of Salineville, Columbiana county, Ohio, be and they are hereby authorized and empowered to erect or purchase an electric light plant for the purpose of supplying the streets, alleys and public places within the corporate limits of said village with light and for the purpose of supplying the citizens of said village with light for private use at the customary rates, or all or either of them.

SECTION 2. For such purposes said village council is hereby authorized to issue the bonds of said village in such amounts and denominations as it may deem necessary to carry into effect the provisions of this act, not however in a sum to exceed five thousand dollars; said bonds shall be signed by the mayor of said village, and attested by the clerk thereof, and shall not bear a greater rate of interest than six per cent. per annum, payable annually, or be sold at less than par value. The principal of such bonds shall be payable at such times and place as council may determine, within a period not exceeding five years.

SECTION 3. Said council is hereby authorized to levy a tax on all the taxable property of said village sufficient to meet the annual interest on said bonds and to provide for and establish a sinking fund to pay the principal of said bonds at maturity.

SECTION 4. The question of issuing said bonds, levying said tax and of erecting or purchasing said electric light plant, shall be submitted to a vote of the qualified electors of said village, at a general or special election, at the place of holding elections in said village, by giving ten days' notice thereof in the local newspaper of said village, or in a newspaper of general circulation in said village. The tickets to be voted at said election shall have written or printed thereon, "Electric light plant—Yes," or "Electric light plant—No." If a majority of the ballots cast at said election shall have written or printed thereon the words "Electric light plant—Yes," then said council are authorized to proceed to erect or purchase said electric light plant, issue said bonds and levy said tax, and not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Passed January 30, 1890.

16L

[House Bill No. 79.]

AN ACT

To enable the school board of the village of La Rue, Marion county, Ohio, to issue bonds for the purpose of building a new school house in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the school board of the village of La Rue, Marion county, Ohio, be and the same is hereby authorized to issue bonds and levy a tax to pay the same, in any sum not exceeding twenty thousand dollars, for the purpose of building a new school house in said village; said bonds to be issued in the sum of five hundred dollars each, and to be payable one in six months from the date of issue, and one every six months thereafter, and to bear interest at a rate not to exceed six per cent. per annum, payable semi-annually; and said bonds may have coupons attached, in the discretion of said school board, and shall not be sold at less than their par value. The president of said board and the secretary thereof shall respectively execute and attest said bonds.

SECTION 2. That an act entitled "an act to enable the school board in the incorporated village of La Rue, Marion county, Ohio, to issue bonds

and borrow money for the purpose of erecting a new school house in said village," passed March 27th, 1889, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Passed January 30, 1890.

17L

[House Bill No 87.]

AN ACT

To amend section one of an act entitled an act to authorize the county commissioners of Cuyahoga county to build a monument or a memorial tablet commemorative of the deceased soldiers and sailors of said county, and to purchase a site therefor, passed April 2nd, 1880 (vol. 77, p. 368), as amended Feb. 4th, 1881 (vol. 78, p. 316), as amended April 22nd, 1885 (vol. 82, p. 368).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled an act to authorize the county commissioners of Cuyahoga county to build a monument or memorial tablet commemorative of the deceased soldiers and sailors of said county, and to purchase a site therefor, passed April 2nd, 1880 (vol. 77, p. 368), as amended February 4th, 1881 (vol. 78, page 316), as amended April 22nd, 1885 (vol. 82, p. 368), be so amended as to read as follows:

Sec. 1. That the county commissioners of Cuyahoga county be and they are hereby authorized to levy a tax upon all the taxable property of said county, not exceeding three-tenths of one mill on the dollar of the valuation of said property, in addition to any tax heretofore levied under said act, not more than one-third of which shall be levied and collected annually, for the purpose of erecting a suitable structure commemorative of the services, patriotism and valor of the soldiers and sailors of the Union army and navy in the war of the rebellion, who enlisted from Cuyahoga county and either were killed, died of wounds or disease contracted in said service, or subsequently died residents of said county, and to purchase a suitable site therefor; and the funds heretofore collected under said act shall be applied, together with that raised under and pursuant to this act, to the purpose aforesaid.

SECTION 2. That said section one (1), as amended April 22nd, 1885, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Passed January 30, 1890.

18L

[House Bill No. 92.]

AN ACT

To authorize the trustees of Harrison township, Perry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Harrison township, Perry county, Ohio, be and they are hereby authorized to transfer the sum of one hundred dollars from the building fund to the road fund.*

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.
19L

[House Bill No. 94.]

AN ACT

To authorize the board of education of the Weston village school district, of Weston township, Wood county, Ohio, to levy a tax to pay indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the village school district of Weston, Wood county, Ohio, be and the same hereby is authorized to levy a tax, in addition to that now by law authorized to be levied, of six mills, to be levied as follows, viz.: Two mills in the year 1890, two mills in the year 1891, and two mills in the year 1892. This extra levy to be expended only in paying indebtedness.*

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.
20L

[House Bill No. 110.]

AN ACT

To authorize the council of the village of Cardington, Morrow county, Ohio, to transfer money from the police fund and sewer fund, to the street improvement fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of Cardington, Morrow county, Ohio, be and is hereby authorized to transfer from the sewer fund of said village to the street improvement fund, the sum of six hundred dollars, and from the*

police fund to the street improvement fund, the sum of three hundred dollars.

SECTION 2. That this act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Passed January 30, 1890.
21L

[House Bill No. 81.]

AN ACT

To divide Jackson township, Stark county, Ohio, into three election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Jackson, in the county of Stark, be and the same is hereby divided into three election precincts for all the purposes authorized by law, as follows: That sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, and 17, shall be known as the McDonaldsville precinct of said township, with place of holding election at McDonaldsville, in said township; that sections 13, 22, 23, 24, 25, 26, 27, 34, 35, and 36, shall be known as the Scherio precinct of said township, with place of holding election at Scherio's school house, in said township; and that sections 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, shall be known as the Milport precinct, of said township, with place of holding election at Milport, in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 6, 1890.
22L

[House Bill No. 82.]

AN ACT

To divide Paris township, Stark county, Ohio, into three election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Paris, in the county of Stark, be and the same is hereby divided into three (3) election precincts for all purposes authorized by law, as follows: That sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, shall be known as the Paris precinct of said township, with place of holding election at the village of Paris, in said township; that the east half of sections 21 and 28, and sections 22, 23, 24, 25, 26, 27, 33, 34, 35 and 36, shall be known as the Minerva precinct of said township, with place of holding election at Minerva, in said township; and that sections 17, 18, 19, 20, and the west half of sections 21 and 28, and sections 29, 30, 31 and 32, shall be known as the Robertsville precinct of said township, with place of holding election at Robertsville, in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 6, 1890.

23L

[House Bill No. 37.]

AN ACT

To authorize the trustees of Weston township, Wood county, Ohio, to issue bonds for the purchase of site, and the erection of soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Weston township, Wood county, are hereby authorized to issue the bonds of said Weston township, for the sum of two thousand dollars (\$2,000), for the purchase of a site (if one is not donated) and the erection thereon of a soldiers' monument.

SECTION 2. The question of issuing said bonds shall be submitted to the voters of Weston township, at a regular or special election, notice of which shall be given by the township trustees causing to be posted in not less than five (5) separate, public places in said township, notices of said election for at least ten (10) days before such election shall be held. The tickets used at such election shall have written or printed on them the words, "Authority to issue bonds—Yes;" or, "Authority to issue bonds—No." The trustees shall not be authorized to issue bonds for the purpose named in this act, unless a majority of such votes be in favor of the question.

SECTION 3. If a majority of votes shall favor the issue of bonds for the purpose named in this act, the trustees of said Weston township shall levy a tax on all the taxable property of said township, and make a proper return of such levy to the auditor of Wood county, to be placed by him on the duplicate of said township and collected as other taxes. The levy shall be made at such a rate as to meet the payment of the bonds as they may fall due, with the interest accrued on the same, and may be made in three consecutive annual levies.

SECTION 4. Said bonds shall be issued in the sum of \$666.66 $\frac{2}{3}$ each, and shall be made payable on the 25th day of June of the years 1892, 1893 and 1894. One bond of the amount named above shall be paid on each of the dates named in this section. Said bonds shall bear such a rate of interest as may be determined by the trustees, not, however, to exceed (6) six per cent. per annum.

SECTION 5. Within thirty days after the result of the election, as provided for in section 2 of this act, shall be known, if the result be in favor of issuing such bonds, the trustees of Weston township shall notify the county commissioners of such result, and on the receipt of such notice, the commissioners of Wood county shall proceed at their first regular meeting to appoint a committee of five (5) resident freeholders of said Weston township, three of whom shall be members, in good standing, of some grand army post situated in said township. Said committee shall serve without compensation, and it shall be their duty to select site for

such soldiers' monument, select design for the same, and superintend the construction of said monument. Said committee shall, before entering upon their duties, make and execute to the trustees of Weston township a bond in the sum of five thousand dollars (\$5,000) for the proper performance of the duties imposed upon them. Said committee shall have full control of the fund raised for this purpose under this act, and shall file with the trustees of Weston township, annually, a statement of their expenditures for the purposes named in this act.

SECTION 6. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 7, 1890.

24L

[House Bill No. 64.]

AN ACT

To authorize the incorporated village of Norwood, Hamilton county, Ohio, to borrow money and issue bonds for the purpose of buying real estate and improving the same for village purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Norwood be and said council is hereby authorized to issue bonds in any sum not exceeding six thousand dollars, in denominations not exceeding one thousand dollars each, bearing interest not to exceed six per cent. per annum, payable in not more than ten years from their date, as the village council may determine. The purposes for which said bonds are authorized to be issued are to pay for real estate, building upon, altering, repairing and improving the said real estate for village purposes.

SECTION 2. Said bonds shall be sold for not less than their par value, and the proceeds thereof shall be placed in the village treasury, and shall be paid out upon the appropriation, purchase, and improvement of said real estate for the use of the corporation.

SECTION 3. The village council of said village of Norwood shall levy, annually, on all property in said village, a tax sufficient in rate and amount to pay the accruing interest on such bonds, and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 7, 1890.

25L

[House Bill No. 140.]

AN ACT

To authorize the commissioners of Washington county, Ohio, to light certain bridges

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Washington county, Ohio, be and are hereby authorized to light either of the free county bridges across the Muskingum river, within said county, located at the following points, to-wit: At Marietta, at Lowell, and at Beverly, when application therefor is made to them at any regular or special session, by petition signed by at least twelve freeholders of the county, stating therein which of said bridges is asked to be lighted, which petitioners must reside in the vicinity of the bridge for which said application is made. Upon such application being made to them for the lighting of either of said bridges, the said commissioners shall have full power and authority to make all necessary arrangements and contracts for the lighting of any of said bridges, for the lighting of which application may be made, and to place thereon such light, or lights, as they may deem necessary and proper for the convenience, safety and welfare of the public.

SECTION 2. All necessary costs and expenses incurred in the lighting of said three bridges, or either of them, as provided for in section one (1) of this act, shall be paid out of the bridge fund of the county.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 7, 1890.

26L

[House Bill No. 144.]

AN ACT

To authorize the board of education of the village district of New Carlisle, Clark county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of the village district of New Carlisle, Clark county, Ohio, be and they are hereby authorized to transfer to the sinking fund of said district, the money arising out of the collection of a special tax levy of two mills on the dollar, on all the taxable property in said district, as authorized by an act passed April 11th, 1889, known as house bill No. 1392.

SECTION 2. This act shall take effect upon its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 7, 1890.

27L

[Senate Bill No. 24.]

AN ACT

To authorize the council of the village of Wilmington, Clinton county, Ohio, to issue bonds for certain purposes herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of Wilmington, in the county aforesaid, be and are hereby authorized to issue bonds, not exceeding thirty-five hundred dollars in amount, the proceeds of which bonds shall be used for the purchase of a new steam fire engine, to be used in the fire department of said village.*

SECTION 2. Said bonds shall be payable at such time, not exceeding seven years from the respective dates thereof as said council may determine; said bonds shall bear interest at a rate not exceeding four per cent. per annum, and shall not be sold for less than their par value. And said council are hereby authorized to sell said bonds without advertisement at private sale.

SECTION 3. The said village council is also authorized to cause a levy to be made to pay said bonds and any interest accruing, upon all the taxable property of said village, and cause the same to be collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 10, 1890.
28L

[Senate Bill No. 41.]

AN ACT

To divide Upper township, Lawrence county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That Upper township, Lawrence county, Ohio, be and is hereby divided into two election townships [precincts], as follows: All that part of said township included within the corporate limits of the village of Petersburg shall constitute one precinct, to be known as Petersburg, with the voting place at said village, and the remainder of said township, not included in the village of Petersburg, shall constitute another and separate precinct, to be known as Upper, with the voting place in Ironton, as at present.*

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 10, 1890.
29L

[House Bill No. 43.]

AN ACT

To change the name of Jesse William Fulks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Jesse William Fulks, a resident of Clark county, Ohio, is hereby changed to that of Jesse William Fox.

SECTION 2. Said change shall not in any way affect the rights, privileges, and liabilities of said person.

SECTION 3. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 12, 1890.

30L

[House Bill No. 68.]

AN ACT

To authorize the council of the incorporated village of Miamisburg, Montgomery county, to issue bonds for the purpose of general improvement and benefit of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Miamisburg, Montgomery county, Ohio, be and is hereby authorized to borrow not to exceed fifteen thousand dollars (\$15,000), to be applied to the general improvement and benefit of said village.

SECTION 2. That for the purposes of meeting the expenses aforesaid, the said council of the incorporated village of Miamisburg, Ohio, is authorized to issue bonds, to be signed by the mayor and attested by the clerk of said village, in denominations of not less than one hundred dollars (\$100), and not more than five hundred dollars (\$500), bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding fifteen years from their respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at the village of Miamisburg, Ohio.

SECTION 3. That for purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village of Miamisburg, Montgomery county, Ohio, a tax for such an amount annually, not exceeding two mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected, paid over to the treasurer of said village.

SECTION 4. Before said council shall issue said bonds or levy said tax, the proposition shall be submitted to a vote of the qualified electors of said village, at any municipal or general election, or at a special election that may be called for that purpose by said council, of which election ten days' notice shall be given by the mayor in two newspapers

of general circulation in said village, and if two-thirds of the votes cast at such election be in favor of issuing said bonds, then, and not otherwise, shall the council of said village be authorized to issue said bonds and levy said tax as herein provided. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words, "For the issue of bonds—Yes;" and those voting against the issue of said bonds shall have written or printed on their ballots the words, "For the issue of bonds—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 12, 1890.

31L

[House Bill No. 88.]

AN ACT

To change the name of Charles J. Bowell.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the name of Charles J. Bowell, a resident of Hardin county, Ohio, be and the same is hereby changed to that of Charles J. Bowles.*

SECTION 2. That said change shall in no way affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 12, 1890.

32L

[House Bill No. 117.]

AN ACT

To change the name of Julia Kesler to Lillie K. Taylor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the name of Julia Kesler be and the same is hereby changed to that of Lillie K. Taylor.*

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 12, 1890.

33L

[House Bill No. 164.]

AN ACT

To authorize the village of Arcanum, and Twin township, Darke county, Ohio, to issue bonds to complete and furnish a town hall in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Arcanum, Darke county, Ohio, is hereby authorized to issue and sell at private sale, at not less than their par value, the bonds of said village in any sum not exceeding three thousand dollars, and in denominations of one thousand dollars each, bearing interest not exceeding six per cent. per annum, payable semi-annually; and said bonds to be payable at such place and at such times, not exceeding thirteen years from the date of their issue, as the said council may determine. And the trustees of Twin township, Darke county, Ohio, are hereby authorized to issue and sell at private sale, at not less than their par value, the bonds of said township, in any sum not exceeding fifteen hundred dollars, and in denominations of five hundred dollars, bearing interest not exceeding six per cent. per annum, payable semi-annually; and said bonds to be payable at such places and at such times, not exceeding thirteen years from the date of their issue, as said trustees may determine. And so much of the money arising from the sale of said bonds, as may be necessary therefor, shall be used to complete and furnish in a suitable manner, and in such proportion between said village and township, as has been heretofore agreed upon by and between said trustees and said council, the town hall in said village of Arcanum belonging jointly to said township and village.

SECTION 2. Said bonds shall be issued and sold in all respects not herein provided, according to law.

SECTION 3. The trustees of said township and the council of said village, shall annually, in addition to the taxes now authorized by law, levy a tax, respectively, on the taxable property of said township and village, to be collected as other taxes are, sufficient to pay the principal and interest of said bonds.

SECTION 4. This act shall be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 12, 1890.

34L

[House Bill No. 182.]

AN ACT

To authorize the city of Bucyrus, in Crawford county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Bucyrus, in Crawford county, be and it hereby is authorized to transfer permanently thirteen hundred and forty-five dollars (\$1,345.00), from the natural gas fund to the road fund of said city.

SECTION 2. This act shall be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed February 12, 1890.

35L

[House Bill No. 189.]

AN ACT

To authorize the council of the village of London, Madison county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of London, Madison county, Ohio, be and the same is hereby authorized to transfer from the police fund of said village to the general fund thereof the sum of two thousand five hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.
36L

[House Bill No. 230.]

AN ACT

To authorize the incorporated village of New Straitsville, Perry county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Straitsville, Perry county, Ohio, be and the same is hereby authorized to transfer from the road fund four hundred dollars (\$400), and from the police fund four hundred dollars (\$400), to the bonded debt fund, for the purpose of paying off bonded debt of the village.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.
37L

[House Bill No. 128.]

AN ACT

To amend an act entitled "an act to divide Willoughby township, Lake county, into two election precincts," passed April 3, 1889 (vol. 86, page 595).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to divide Willoughby township, Lake county, Ohio, into two election precincts," passed April 3, 1889 (vol. 86, p. 595), be amended so as to read as follows:

SECTION 2. That Willoughby township, in the county of Lake, and state of Ohio, be and the same is hereby divided into two election precincts, one to be known as the east precinct and one as the west precinct,

and said west precinct shall include the territory, and only such territory, as lies within the boundaries of tracts three, four, seven, eight, eleven, twelve, and fifteen, the same lying in the west part of said Willoughby township, and the voting place of said precinct shall be at Wickliffe.

SECTION 3. That an act entitled "an act to divide Willoughby township, Lake county, into two election precincts," passed April 3, 1889 (vol. 86, p. 595), is hereby repealed, and this act shall take effect from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890.
38L

[House Bill No. 237.]

AN ACT

To amend an act entitled "an act to authorize the incorporated village of Millersburg, Holmes county, Ohio, to borrow money, [and] issue bonds therefor, for the purpose of heating, finishing and furnishing village hall," as passed January 27, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "an act to authorize the incorporated village of Millersburg, Holmes county, to issue bonds for the purpose of heating, furnishing and finishing village hall now under contract by said village," be so amended as to read as follows:

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Millersburg, Holmes county, be authorized to borrow money and issue bonds therefor not to exceed ten thousand dollars, for the purpose of finishing, heating, lighting and furnishing the village hall now under contract by said village. Said bonds to be of such denominations as the council of said village may deem proper, and shall run for a period not exceeding twenty years, to bear interest not to exceed six per cent. per annum, interest payable semi-annually, to be signed by the mayor of said village and countersigned by the clerk thereof, and to be sold according to law at not less than their par value.

SECTION 2. That said original act, passed January 27th, 1890, be and the same is hereby repealed; and this act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed February 12, 1890
39L

[Senate Bill No. 73.]

AN ACT

To authorize the commissioners of Pickaway county to issue bonds and borrow money for the payment of bonds issued to provide for deficiency in the county treasury.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Pickaway county, be and they are

hereby authorized and empowered to issue the bonds of said county in an amount not exceeding twenty-six thousand dollars (\$26,000), in addition to the amount now authorized by law, which bonds shall be in sums of not less than one hundred nor more than one thousand dollars, payable at such times, not exceeding two years from September 1, A. D., 1892, as the said commissioners may deem expedient; said bonds to bear interest from date, at the rate of six per cent. per annum, payable semi-annually, on the first day of March and the first day of September, of each and every year, until said bonds shall have been paid. Said bonds shall have coupons attached thereto, representing the semi-annual interest thereon, as it shall become due.

SECTION 2. Said bonds shall be sold as provided by law, and the proceeds thereof shall be applied in the payment of bonds, issued by authority of "an act to authorize the commissioners of Pickaway county, Ohio, to issue bonds and borrow money to cover a deficiency in the county treasury," passed February 27, 1889, which bonds become due and payable on the first day of March, 1890, and the first day of September, 1890. The proposed issue of said new bonds being necessary for the reason that the suit to recover from the defaulting county treasurer and his bondsmen the amount of the treasurer's defalcation to supply the said deficiency in the treasury is still pending in the courts, and the final decision of the case is not possible, in time, to realize the amount sufficient to meet the said bonds.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 13, 1890.

40L

[House Bill No. 172.]

AN ACT

To authorize the village of Thornville, Ohio, to issue and sell bonds in any sum not to exceed thirty-five hundred dollars (\$3,500), for the purpose of purchasing a site and erecting a town hall in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village of Thornville, in the county of Perry, and state of Ohio, be and it is hereby authorized and empowered to issue and sell the bonds of said village in any sum, but not to exceed the sum of thirty-five hundred dollars (\$3,500), for the purpose of purchasing site and erecting a town hall in said village.

SECTION 2. Said bonds, when issued and sold, shall not bear interest at a rate exceeding six per cent. per annum, interest to be payable semi-annually; said bonds to be of such denominations as the council of said village may prescribe; each and all of said bonds shall be made payable at such times and places as said council may prescribe by ordinance, but not to run longer than ten years from date of issue; said bonds shall not be sold for less than par, and the proceeds of the sale of said bonds shall be used only for the purposes named in section one (1) of this act."

SECTION 3. Said bonds shall be signed by the mayor and attested and registered by the clerk of said village and shall express upon their face the purpose for, and act under which issued. When said bonds are sold the proceeds thereof shall be paid to the treasurer of said village, who shall hold and disburse the same as other village funds. Said bonds shall be sold from time to time and in such amounts as the council of said village may deem proper.

SECTION 4. If any bonds of said village are issued as herein provided, it shall be the duty of the council of said village, thereafter, to assess and levy a tax, and if necessary in addition to that now authorized by law, on all the taxable property of and in said village of Thornville, sufficient to provide for the payment of the principal and interest of said bonds when due and payable, and said taxes shall be collected as other taxes of said village.

SECTION 5. Provided, however, before said bonds can be issued or sold, the council of said village of Thornville shall submit the question of issuing the bonds aforesaid, and purchasing site and building town hall aforesaid, to the qualified electors of said village at a regular, or a special election called and held for that purpose, of which election at least ten (10) days' notice shall be given by publication in one newspaper published and of general circulation in said village, which notice shall contain the time and place of holding such election; and if a majority of the electors voting upon said question shall vote in favor of the same, then, and not otherwise, shall the council of said village be authorized to issue the bonds as herein provided. Those voting in favor of the proposition to issue bonds for the purpose of purchasing site and erecting town hall in said village, shall have written or printed upon their tickets the words, "Authority to issue bonds to purchase site and erect town hall—Yes," and those voting against said proposition the words, "Authority to issue bonds for purchasing site and erecting town hall—No."

SECTION 6. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 13, 1890.

41L

[Senate Bill No. 26.]

AN ACT

To authorize the council of the village of Port Washington to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Port Washington, Tuscarawas county, be and is hereby authorized to transfer permanently from the general fund to the road fund, the sum of fifty dollars; from the building fund to the road fund, the sum of fifty dollars; and from the cemetery fund to the road fund, the sum of fifty dollars.

SECTION 2. This act shall take effect and be in full force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 19, 1890.

42L

[Senate Bill No. 36.]

AN ACT

To authorize the township trustees of Newburgh township, Cuyahoga county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Newburgh township, Cuyahoga county, Ohio, be and are hereby authorized to transfer from the poor fund to the general township fund, the sum of fifteen hundred (\$1,500) dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 19, 1890.

43L

[Senate Bill No. 65.]

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across the Olentangy river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Franklin county, Ohio, be and they are hereby authorized and empowered to construct a bridge across the Olentangy river at the intersection of the center line of Lane avenue, extending westerly across said river, in the city of Columbus, Ohio, together with the proper and necessary approaches thereto, at a cost not to exceed the sum of thirty thousand dollars; provided, that they shall at the same time improve, widen and grade the roadway on each side of said bridge leading to said approaches; and in the exercise of their powers and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expense of constructing such bridge, with the proper and necessary approaches thereto, said commissioners are hereby authorized and empowered to issue and sell bonds of said Franklin county, at not less than their par value, in sums of not less than five hundred dollars each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and not to exceed, in the aggregate, the sum of thirty thousand dollars (\$30,000); and said commissioners are further authorized and em-

powered to levy a tax on all the property on the tax duplicate of said county, to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 19, 1890.

44L

[House Bill No. 206.]

AN ACT

To authorize the board of education of Mendon school district, Mercer county, Ohio, to levy additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Mendon school district, Mercer county, Ohio, be and they are hereby authorized to levy a tax not to exceed six (6) mills on each dollar of the assessed value of the taxable property of said Mendon school district, in addition to that already authorized by law, for the payment of certain bonds issued and sold as authorized by house bill No. 413, passed April 9, 1886.

SECTION 2. The question of levying said tax shall be submitted to a vote of the qualified electors of said school district, at the regular April election, A. D. 1890, at the usual place of holding elections in said school district, of which at least ten days' notice shall be given by publication in two newspapers of opposite politics, published in said Mercer county, and of general circulation in said school district, and at such election the ballots shall have written or printed, or partly written and partly printed thereon the words, "Additional tax—Yes;" or, "Additional tax—No;" and if a majority of those voting on said proposition are in favor of the same, then it shall be the duty of said school district, by its board of education, to levy said tax.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 19, 1890.

45L

[House Bill No. 13.]

AN ACT

To authorize the incorporated village of Utica, Licking county, Ohio, to issue bonds to complete town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Utica, Licking county,

Ohio, be and are hereby authorized to borrow money and issue bonds therefor, not exceeding twenty-five hundred dollars, for the purpose of completing the town hall in said village; said bonds to be of such denominations as said council may deem proper, and shall run for a period not exceeding twelve years, to bear interest not exceeding six per cent. per annum, payable semi-annually; said bonds shall be sold in accordance with law; and the council of said village is further authorized to levy a tax, in addition to other taxes, upon all the taxable property of said village, sufficient to pay said bonds, as they become due, and the interest accruing thereon.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 25, 1890.

46L

[House Bill No. 120.]

AN ACT

To amend an act entitled "an act to authorize the commissioners of Brown county to construct a free turnpike in said county," passed April 5, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to build and construct a good and sufficient free turnpike on the Brownstown and Arnheim road, beginning at Brownstown and ending at the Arnheim and Ripley free turnpike road, in the village of Arnheim, of said county.

SECTION 2. Twenty per centum of the entire cost of the construction of said free turnpike shall be paid by a tax on all the taxable property within one mile of said free turnpike, and eighty per centum of the entire cost of the construction of said free turnpike shall be paid by a tax on all the taxable property of the county.

SECTION 3. The said commissioners shall determine the time in which the said twenty per centum shall be paid, which shall not be less than five years nor more than ten, and an equal part of said twenty per centum shall be levied and collected each year, and the said commissioners are authorized each year to make such levy upon all the taxable property within said taxing district, until the whole twenty per centum is fully paid; and they shall cause the same to be placed upon the tax duplicate and collected as other taxes; and they shall, in like manner, levy upon all the taxable property of the county the eighty per centum of the costs of said construction, so that the same will be paid in not less than five years nor more than ten.

SECTION 4. For the purpose of paying eighty per centum of the entire cost of the construction of said free turnpike road, the commissioners are hereby authorized to issue the bonds of the county, bearing not to exceed six per cent. interest, payable at such times as the commissioners may determine, not exceeding ten years from the date thereof. Said bonds shall not be sold for less than their par value.

SECTION 5. That said original act as passed April 5, 1889, is hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 25, 1890.

47L

[House Bill No. 166.]

AN ACT

To authorize the board of education of the Gahanna independent school district, of the village of Gahanna, and territory annexed thereto, in Franklin county, Ohio, to borrow money and issue bonds for the purpose of completing and furnishing a certain school house in said district, authorized to be built by an act passed March 27, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Gahanna independent school district, of the village [of] Gahanna, and territory annexed thereto, in Franklin county, Ohio, is hereby authorized to borrow not to exceed eight hundred dollars (\$800), and issue the bonds of the district therefor, for the purpose of completing and furnishing a certain school house in said district, as authorized heretofore by act referred to in title.

SECTION 2. That such bonds shall be signed by the president and attested by the clerk of the board of education; shall be for the sum of one hundred dollars (\$100) each; shall bear interest at a rate not to exceed six per cent. per annum; shall be made payable at such times as the board shall determine, but within ten years from the date of issue, and shall not be sold for less than their face value; and the board shall levy, annually, such tax as is necessary to pay the bonds as they become due, and all accrued interest.

SECTION 3. This act shall take effect on its passage

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 25, 1890.

48L

[House Bill No. 262.]

AN ACT

To authorize the board of education of Hamden village school district to issue bonds for completion of school house in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of Hamden, Vinton County, Ohio, be and they are hereby authorized to issue bonds in any sum not to exceed five hundred dollars (\$500.00), for the purpose of completing school house in said village district. Such bonds to be of such

denomination, and payable at such time and place as said board of education may determine, and said bonds shall bear interest at a rate not to exceed six per cent. per annum, and shall not be sold for less than their par value.

SECTION 2. For the purpose of paying the principal and interest on said bonds, as the same may become due and payable, the said board of education shall levy, annually, on all taxable property of said village district, a tax sufficient to pay the same, in addition to all other taxes authorized by law, and the same shall be collected as other taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 25, 1890.

49L

[House Bill No. 293.]

AN ACT

To authorize the council of the village of Niles, Trumbull county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Niles, Trumbull county, Ohio, be and the same is hereby authorized and empowered to transfer (\$500.00) five hundred dollars from the general fund, and (\$2,500.00) twenty-five hundred dollars from the police fund, all to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 25, 1890.

50L

[House Bill No. 327.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to build and construct a good and sufficient free turnpike, beginning at the Williamsburg and Mt. Oreb free turnpike, at the corner of William Hight's and William Brose's land, extending south on their line and that of William Hight and Fred. Brose, until it intersects the public road, thence south on said road to the New Harmony and New Hope road, thence east on said road to Maple Grove school house, thence south with road until it intersects the New Hope and Bethel free turnpike near the residence of Joseph Thornton.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 27, 1890.
 54L

[House Bill No. 221.]

AN ACT

To authorize the commissioners of Muskingum county, Ohio, to build a bridge across the Muskingum river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Muskingum county, Ohio, be and they are hereby authorized and empowered to build a double-track bridge, with the necessary and proper sidewalks, piers and abutments therefor and approaches thereto, across the Muskingum river, from some point on the west bank of said river between the south side of McIntire avenue and the north side of Bridge street, in the tenth (10) ward of the city of Zanesville, in said county, to some point on the east bank of said river between the west side of Fourth street and the east side of Fifth street, in the second (2) ward of said city, as said commissioners may determine.

SECTION 2. Said bridge shall be built in a permanent and substantial manner, of iron, steel, or such other material as said commissioners may determine; but before said commissioners shall build said bridge, they shall obtain the consent of the proper United States authorities to erect the same across said river.

SECTION 3. That the commissioners of said county, to effect the objects named in the foregoing sections of this act, shall have power and authority to borrow such sum or sums of money as may be necessary to build said bridge, and to issue the bonds of said county for the payment thereof; which said bonds shall be in such sums and payable at such times, not exceeding fifteen years from the date thereof, as said commissioners may determine, and shall bear a rate of interest not exceeding six per centum per annum, payable semi-annually, and shall be signed by said commissioners, or any two of them, and countersigned by the auditor of said county, with interest coupons attached, each payable to the bearer, and shall specify distinctly the purposes for which they were issued, and shall be sold for not less than their face value.

SECTION 4. That to pay the interest on said bonds as the same shall accrue, and the principal of said bonds as the same mature, the said commissioners are hereby further authorized and required to levy, annually, at their June session, on all the taxable property on the tax duplicate of said county, a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro. tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 27, 1890.
 55L

[House Bill No. 247.]

AN ACT

To authorize the trustees of Jackson township, Jackson county, Ohio, to levy a tax to reconstruct roads and bridges.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Jackson township, in Jackson county, Ohio, be and are hereby authorized and empowered to assess and levy, upon all the real and personal taxable property of said township, a tax not exceeding three mills upon the dollar of the valuation of all said taxable property, for the year 1890, in addition to the amount of taxes now authorized by law, for the purpose of reconstructing the roads and bridges that were destroyed by freshets and floods in the year 1889.

SECTION 2. This act shall take effect on and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 27, 1890.

56L

[House Bill No. 286.]

AN ACT

To authorize the commissioners of Medina county, Ohio, to transfer certain funds, for the purpose therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Medina county, Ohio, be and are hereby authorized to transfer two thousand dollars (\$2,000) from the poor fund to the county fund of said county, and to use the same, or so much thereof as may be necessary, for the purpose of building a barn on the county farm on which the infirmary of said county is located.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 27, 1890.

57L

[House Bill No. 292.]

AN ACT

To authorize the village of Camden, Preble county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Camden, Preble county, Ohio, is hereby authorized to transfer four hundred and fifty dollars from the sewerage fund to the fire and light fund of said village.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 27, 1890.

58L

[House Bill No. 320.]

AN ACT

To authorize the board of education of Paulding special school district to issue and sell bonds to pay present indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Paulding special school district is hereby authorized to issue and sell the bonds of said special school district, in any sum not exceeding ten thousand dollars (\$10,000), for the purpose of paying present indebtedness of said special school district.

SECTION 2. The said bonds shall be of a denomination of not more than one thousand dollars (\$1,000) each, due in not less than ten nor more than fifteen years from date of issue, shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be issued and sold as provided by law.

SECTION 3. Provided, that the said board of education shall not issue or sell, at any time, any more of said bonds than is necessary to pay the principal or interest, or both, on the present bonded indebtedness of said special school district, that has matured at that time, or that will mature by the time that any bonds so issued can be advertised and sold. The said board of education are authorized to levy a tax, annually, on all the taxable property of said school district, in addition to that now provided by law, sufficient to pay the interest and principal on said bonds as the same may mature.

SECTION 4. This act shall be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed February 27, 1890.

59L

[House Bill No. 322.]

AN ACT

To authorize the board of education of the village school district of Van Wert, Van Wert county, Ohio, to issue bonds to complete school house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district in Van Wert, Van Wert county, Ohio, be and are hereby authorized to borrow money and issue bonds therefor, not exceeding four thousand dollars (\$4,000), for the purpose of completing school house in said district; said bonds to be of such denominations as said school board may deem proper, and shall run for a period not exceeding ten (10) years, to bear interest not exceeding five per cent. per annum, payable semi-annually.

SECTION 2. Said board of education shall, annually thereafter, cause the necessary tax, in addition to that authorized by law, to be levied on taxable property in said village, to pay the interest on said bonds and to pay the principal thereof, as the same becomes due.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 27, 1890.

60L

[House Bill No. 354.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct certain free turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county, Ohio, be and they are hereby authorized to construct the following free turnpike roads:

First road: Beginning at the Georgetown and Fayetteville pike at the five-mile mills; thence running east on the line of the road known as the Pricetown and Hillsboro road, or as near as practicable thereto, to the Highland county line.

Second road: Beginning at the Mt. Oreb and Williamsburg free turnpike near Salem school house; thence north on line of the road known as the Salem and election house road, or as near as practicable thereto, to Chillicothe road near election house.

Third road: Beginning at the Georgetown and Fayetteville free turnpike road in the village of Mt. Oreb; thence east on line of road known as the Mt. Oreb and Sardinia road, or as nearly thereto as practicable, intersecting the Sardinia and Brownstown free turnpike road about one mile west of Sardinia.

Fourth road: Beginning at the Sardinia and Brownstown free turnpike road in the village of Sardinia; thence east on line of road known as the Sardinia and Winchester road, as nearly as practicable, by way of South Fincastle to the Adams county line.

Fifth road: Beginning at the pike cross-roads, near the residence of Jasper Liming; thence with the county road 534 poles, to a point north of Excelsior school house; thence south $41\frac{1}{2}^{\circ}$, west 36 poles, to Newton's corner in the road; thence with the road to the cross-roads east of William Bagby's farm; thence south 61° , west 58 poles, to R. D. Rice's corner; thence to John Johnson's corner in the pike leading from Georgetown, Ohio, to Bethel, Ohio.

SECTION 2. Twenty per centum of the entire cost of the construction of said free turnpikes shall be paid by a tax on all the taxable property within one mile of said free turnpike, and eighty per centum of the entire costs of the construction of said free turnpikes shall be paid by a tax on all the taxable property of the county.

SECTION 3. The said commissioners shall determine the time in which the said twenty per centum shall be paid, which shall not be less than five years nor more than ten, and an equal part of said twenty per centum shall be levied and collected each year, and the said commissioners are authorized each year to make such levy upon all the taxable property within said taxing districts, until the whole twenty per centum is fully

SECTION 9. The rate of tax so fixed by said township trustees shall not apply or be assessed or collected from the property included within the limits of any incorporated village within such township, and such taxes shall be expended within the township outside of said villages. And, provided, that after the roads in said township shall have been graded and macadamized the property in said township shall be exempt from any levy by the commissioners of said county for the purposes of constructing and improving roads.

SECTION 10. The proposition to levy said tax shall be submitted to the qualified electors of said township at the next election for township officers, to be held on the seventh (7) day of April, 1890. Those who are in favor of levying said tax shall have written or printed on their ballots the words "Road improvement tax — Yes;" those who are opposed shall have written or printed thereon the words "Road improvement tax — No;" and if a majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to make said levy as hereinbefore directed.

SECTION 11. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 28, 1890.

62L

[House Bill No. 324.]

AN ACT

To authorize the city council of the city of Xenia to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of Xenia, Greene county, Ohio, be and is hereby authorized to transfer the sum of one thousand dollars from the interest and sinking fund to the bridge fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed February 28, 1890.

63L

[House Bill No. 326.]

AN ACT

To construct a system of free turnpikes in certain townships of Jefferson county, Ohio, and to provide for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Jefferson county are hereby authorized and required, and shall construct a system of free turnpikes in certain town-

ships in said county, to-wit: In the townships of Steubenville, Island Creek, Cross Creek, Salem, Wells, Knox and Smithfield, except in York precinct, in Smithfield township, as specified in section two of this act, or so much thereof as may be adopted by the vote hereinafter provided for.

SECTION 2. The free turnpikes under this act shall consist of the following roads, to-wit:

Route 1. Beginning at the watering trough on west Market street, in the city of Steubenville; thence along the public street to the east end of the infirmary pike; thence from the west end of the infirmary pike, through Wintersville and Richmond to East Springfield.

Route 2. Beginning at Wells run, in the city of Steubenville, at a point to be designated by the commissioners; thence along the public street and roads through Mingo, and via George's run, through New Alexander and Smithfield; thence by the most practical route to the Wheeling and Lake Erie railroad at the mouth of Dry Fork, not to exceed five miles from Smithfield.

Route 3. Beginning at Seventh street, on Franklin avenue, or at the north end of Fourth street, in Steubenville; thence by public streets and highways through Allikanna and Pekin, to Island creek church.

Route 4. Beginning at River avenue, in Toronto; thence with public streets and roads past Island creek church, through Knoxville and Bowling Green, to intersect route one at Richmond.

Route 5. Beginning at Somerset; thence along the public road to intersect the road named in route No. 4, between Knoxville and Bowling Green.

Route 6. Beginning at the C. & P. R. R. track in Empire; thence along the public streets and roads to connect with route No. 4 at Knoxville.

Route 7. Beginning on route No. 3, at Sander's corner; thence west along public road to Center chapel.

Route 8. Beginning on route No. 3, in Allikanna; thence northwardly, via river road to a point two miles distant from the beginning, on or near E. A. King's farm.

Route 9. Beginning at Allikanna, on route three; thence westwardly on the Wills creek road one mile.

Route 10. Beginning on route No. 1, at the forks near Wintersville; thence along the Cadiz road about two miles, to Andrews' corner.

Route 11. Beginning at the dump on west Fourth street, in Steubenville; thence west via coal hill along public road via Fernwood bridge, to intersect the public road leading from Long's church, on William White's farm; also, beginning on said route No. 11, at the top of Fernwood hill; thence running west along public highway one mile, to a point at or near the northeast corner of John McCullough's farm, to intersect road leading to Long's church.

Route 12. Beginning at Wilson's corner, in Steubenville; thence south over public street and road to Hill's school house.

Route 13. Beginning on route 11, at top of coal hill, on England farm; thence via New Alexandria road, Gambles' lane and Buchan road to Gould's station.

Route 14. Beginning at Salt run, in Wells township; thence through Brilliant, to intersect the Steubenville and New Alexandria road as shown in route No. 2, at George's run.

Route 15. Beginning on route No. 14, in Brilliant; thence west via Alexandria street and road to intersect route No. 2, in village of New Alexandria.

Route 16. Beginning on route No. 1, in the village of Richmond, to Wayne township line, near Skelley's station, by most practical route, not to exceed $3\frac{1}{2}$ miles from Richmond.

Route 17. If Smithfield township, except York precinct, shall not give a majority of votes in favor of this system, as hereinafter provided, then route No. 2 shall terminate at the cross-roads near Franklin's school house, and route No. 17 be built as follows: Beginning at said route 2, on Graham's farm, west of Tent church; thence by most practical route by way of John Dougherty's homestead and Oliver's church to Rush run, near McCurdy's saw mill.

SECTION 3. The cost of the construction of said system of free turnpikes, or so much thereof as shall be built, shall be on all the taxable property of the several townships, including the municipal corporations therein that may adopt this system of free turnpikes.

SECTION 4. For the purpose of raising the necessary money to construct said system of free turnpikes, said commissioners shall issue special turnpike bonds, pledging all the taxable property within the townships adopting this system, in any amount not to exceed three hundred and fifty thousand dollars, in denominations of five hundred dollars, and one thousand dollars, which shall be issued and be payable as follows: One-third of the total amount of bonds necessary for the construction of said system of free turnpikes, as near as the same can be determined, shall be issued within two months after this system of free turnpikes, or any part thereof, may be adopted. Said bonds to run twenty years, with the privilege of payment after fifteen years. And a like amount of bonds of the same denomination shall be issued in one year thereafter, payable in twenty years, with the right to pay the same after eight years. And the balance of said bonds shall be issued the next year in the same denominations, and be payable in such time or times as the commissioners may decide, not exceeding ten years. Each series of said bonds shall be numbered, and sold and called in according to number. All of said bonds shall bear interest at the rate of five per cent. per annum, payable semi-annually, and shall be sold as the money may be needed for such construction of turnpikes, but shall not be sold for less than their par value and accrued interest. Said bonds shall be signed by the president of the board of commissioners and countersigned by the county auditor, and be payable at the county treasurer's office; for the purpose of paying the principal and interest of said bonds, the county commissioners shall levy on all the taxable property within the townships adopting this system of free turnpikes, including the municipal corporations therein, a tax of two mills on the dollar valuation each year, until the principal and interest of said bonds are paid.

SECTION 5. The county commissioners shall appoint three disinterested freeholders of the county as road commissioners, and shall also employ to assist said road commissioners a surveyor or engineer, or both, with the necessary and proper assistance, and said road commissioners shall lay out, survey, and locate such turnpike roads, on the present

established highways where practicable, but where a better road may be made by change of the route between the points of beginning and termination, said road commissioners are authorized to lay out, survey, and locate such turnpike roads through any improved or unimproved lands on the best route between such points, and to obtain by grant or take propositions from the owners of the land over which the road will pass, for the right of way. Said road commissioners shall make a full report of their proceedings to the county commissioners.

SECTION 6. Where said county commissioners and the owners of land over which newly located portions of the road shall be laid out, fail to agree as to the amount of compensation, or when the owner is unknown, non-resident, or incapable of contracting, then the same shall be ascertained and adjusted by proceedings had in the name of the county commissioners under the law providing for the appropriation of private property by corporations.

SECTION 7. The roads constructed under this act, shall not be more than sixty nor less than forty feet in width, and at least twenty feet in width thereof shall be turnpiked with earth so as to drain freely to the sides with the necessary culverts and bridges, nine feet thereof in width shall be made of broken stone, of a depth of thirteen inches, seven inches of which shall be sledge broken, and used for foundation, and six inches thereof shall be [of] broken limestone broken or crushed, so as to pass through a three inch ring, using the finest part thereof for the top dressing, and all to be well compacted together, in such manner as to secure a firm, even, and substantial road, but the width to be made of broken stone, in the city of Steubenville, and for one mile adjoining an additional width not to exceed seven feet shall be added, where in the opinion of the county commissioners the same is necessary. Provided, however, that any part of such system of roads may be made of brick where the same will make equally as good and substantial a road at no greater cost on such location.

SECTION 8. Said road shall be divided in sections and let by contract as now provided by section 4771, of the Revised Statutes, and a competent person, or persons, shall be appointed by the county commissioners to inspect the work, as the same progresses, and said county commissioners shall require the same to be according to contract. And in all matters not specifically set out in this act, the county commissioners shall act under, and be governed by the general statutes of the state.

SECTION 9. The county commissioners shall not levy any tax, issue any bonds, or appropriate any money, for the construction of said turnpikes, without submitting to the qualified voters of the townships of Steubenville, Island Creek, Cross Creek, Salem, Wells, Knox and Smithfield, excepting therefrom York precinct, of Smithfield township, the question as to the policy of constructing said roads by general tax, on such townships, but said commissioners shall, and are hereby required at any regular or called session of said commissioners, upon the presentation of the petition of not less than ten freeholders of each of said townships submit to the qualified voters of each of said townships, at any spring or fall election, the question of construction of said free turnpike roads, by general taxation on all the taxable property of such townships, of which election at least fifteen days' notice shall be given by them in at least four newspapers of general circulation in said county; those voting in favor of such turnpike and taxation shall have printed or written on their ballots the words, "For turnpikes—Yes," and those voting against, shall have printed or written on their ballots the words, "For

turnpikes—No;” and if a majority voting on such proposition shall be in favor of such turnpike, and taxation, said commissioners shall proceed according to this act to construct said system of free turnpikes, and complete the same within three years thereafter, and if any of such townships shall not give a majority of such vote in favor of such turnpikes and taxation, such turnpikes shall not be constructed in such township so voting, and such township shall not be taxed therefor. And provided further, if each of the townships of Island Creek, Cross Creek, and Steubenville, including the city of Steubenville, shall not give a majority vote in favor of said turnpikes and taxation, then no part of this system of free turnpikes shall be built.

SECTION 10. If the result of said election shall not authorize the construction of any part of said system of free turnpikes, no part thereof shall be built, but said commissioners shall again submit such question at any regular spring or fall election, upon the petition of not less than two hundred and fifty freeholders, of said townships.

SECTION 11. The said road commissioners, engineer, surveyor, and their assistants, shall receive respectively the same compensation as paid to viewers, surveyors and engineers, and assistants in other cases. And inspectors herein appointed shall receive a compensation not exceeding that authorized for surveyors and engineers.

SECTION 12. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS
President of the Senate.

Passed February 28, 1890.
 64L

[House Bill No. 384.]

AN ACT

To authorize the council of the city of Greenville, Darke county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the city of Greenville, Darke county, Ohio, be and it is hereby authorized and empowered to transfer (\$2,500.00) twenty-five hundred dollars from the bridge and culvert fund to the fire department fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed February 28, 1890.
 65L

[Senate Bill No. 31.]

AN ACT

Providing for the erection of a soldiers' memorial hall at Ironton, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the city of Ironton, Ohio, shall at the spring election of

1890, submit to the qualified voters of the city, the question of taxation to the amount of twenty thousand dollars (\$20,000), for the purpose of erecting a memorial hall (containing apartments for a public library and reading room) to commemorate the patriotism of the union soldiers and sailors of Lawrence county, who served in the war of the rebellion, said hall to be built and controlled by a board of trustees elected, part by the Dick Lambert post No. 165, G. A. R., department of Ohio, and part by the city, in accordance with the provisions of an ordinance passed by said council January 22, 1889, as amended December 20, 1889. Ten days' notice of such submission shall be given by publication in two newspapers of the city of opposite politics. Those voting in favor of such taxation shall write or print on their ballots, "Soldiers' memorial hall—Yes," and those opposed thereto shall write or print on their ballots, "Soldiers' memorial hall—No."

SECTION 2. If a majority of those voting on said question at the election shall be in favor of such taxation, the council shall forthwith issue the bonds of said city to the amount of twenty thousand dollars (\$20,000), which bonds shall be of such denominations, and payable at such places and times, not exceeding twenty years, as the council may determine, and shall bear interest not exceeding five per cent. per annum, and shall not be sold for less than their par value. Commencing with the year 1890, the council shall, annually, levy on the taxable property of the city a tax not exceeding one-half mill in each year to pay the principal and interest of the bonds as the same shall mature, which tax may be in excess of the maximum now allowed by law.

SECTION 3. The council shall pay over the funds arising from the sale of said bonds to the treasurer of the board of trustees aforesaid, upon his giving bond to the city of Ironton in the sum of twenty thousand dollars (\$20,000), with good and sufficient sureties, to the approval of the said trustees and the council, conditioned that he will, in accordance with the terms of this act and said ordinance, faithfully discharge his duties and pay over all moneys which may come into his hands as such treasurer.

SECTION 4. The said trustees shall expend such funds (the proceeds of the bonds authorized by this act) in erecting a memorial hall, to cost not less than twenty thousand dollars (\$20,000), which shall be built, maintained, possessed, used and controlled after the manner and upon the terms and conditions set forth in said ordinance. The said trustees, their treasurer or other officers, shall not receive, directly or indirectly, any compensation for their services under this act or said ordinance; and said memorial hall, its fixtures and furniture, and all property held by said trustees, shall be free from taxation by state, county, or municipality.

SECTION 5. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 3, 1890.

[Senate Bill No. 75.]

AN ACT

To authorize the council of the incorporated village of Sylvania to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Sylvania, in the county of Lucas, is authorized to transfer the sum of one hundred and seventy-five dollars from the general fund of said village to the light fund; the sum of seven hundred dollars from the general fund to the school fund, and the sum of three hundred dollars from the general fund to the street and bridge fund.

SECTION 2. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 3, 1890.

67L

[House Bill No. 159.]

AN ACT

To authorize the commissioners of Belmont county, Ohio, to locate, grade and pave a certain road and provide for the payment of the costs thereof by a local tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Belmont county, Ohio, be and they are hereby authorized to locate, grade and pave with brick or stone a road to be known as "the Bellaire and Glencoe paved road." After the said commissioners have been presented with a petition for said work, signed by a majority of the land and lot owners residing within the limits of the road district as hereinafter provided for, beginning for the same at a point on one of the paved streets of the city of Bellaire, Ohio, and running thence westward up the valley of McMahon's creek, following and using wherever practicable the present public roads to the village of Glencoe.

SECTION 2. The commissioners of said county, within thirty days after said petition has been filed in their office may appoint viewers, who, together with the county surveyor, shall proceed to locate said road, and in the location and establishment of said road the viewers so appointed, and the commissioners, shall have the powers of and be governed by the laws now in force in relation to the location and establishment of county roads; provided, that all compensation and damages allowed to land-owners shall be paid by the county.

SECTION 3. The commissioners on receiving the report of said viewers shall, if said improvement is by them deemed of public necessity, proceed to grade and pave the same with brick or stone. The grading shall be not less than thirty feet in width, and the pavement from Bellaire to Quincy not less than twenty feet in width, and from Quincy to Glencoe, not less than 16 feet in width.

SECTION 4. For the purpose of carrying into effect the provisions of section 3, the said board of commissioners are hereby authorized to appoint a superintendent and engineer, with such assistant superintendents as they may deem necessary for the proper superintendence and

inspection of said work and materials, and the commissioners shall require said officers to give bond for the faithful performance of their duties, and in addition to the duties which may be set forth in their contract of employment, the commissioners may from time to time require such further duties of them as they may deem necessary to insure the proper construction and completion of said improvement.

SECTION 5. The contract for said improvement shall be let either as a whole or in sections, as the commissioners may determine, and they may let the grading and paving separately, but said work shall be let to the lowest responsible bidder at a public letting, the notice of which shall give full information as to manner in which the bids are to be received. All contractors shall be required to give bond for the faithful performance of their contract in such amount as the commissioners shall prescribe.

SECTION 6. The commissioners shall construct all necessary bridges and culverts and stone mason work for said road and pay the cost thereof out of the county bridge fund of said county of Belmont.

SECTION 7. To pay for the cost of grading and paving said road, the commissioners are hereby authorized and required to issue and sell the bonds of the county in such denominations as they may determine, not to exceed in the aggregate the sum of \$90,000, bearing interest not to exceed five per cent. per annum, payable semi-annually, the principal to be payable in not less than 20 years nor more than 30 years from date of issue, at the office of the treasurer of said county, said bonds not to be sold for less than their par value.

SECTION 8. The county surveyor or a competent surveyor appointed by the commissioners, as they may deem proper, shall as soon as practicable after the location and establishment of said road, make a plat, to be filed in the auditor's office of said county, of all the lands and lots within one mile of said road on either side of said road, and at either end of said road, and all the territory within the limits aforesaid shall constitute a special district, to be known as the Bellaire and Glencoe paved road district. And the commissioners of said county of Belmont are hereby authorized to levy and assess upon all the property real and personal within the limits of said special district an assessment additional to all other taxes levied sufficient to pay the interest on the bonds provided for in section 7 of this act, not to exceed $1\frac{1}{2}$ mills on the dollar valuation in any one year. And on and after the 20th year from the date of said bonds they shall levy an additional assessment upon said district sufficient to provide a fund to pay the principal of said bonds at maturity, not to exceed $2\frac{1}{2}$ mills on the dollar valuation in any one year; provided, that none of the property in said special road district shall be exempt from such taxation by reason of the same having been heretofore taxed or assessed for the improvement of any road, pike, street or alley, under any pike law, paving ordinance, or other law or authority whatever.

SECTION 9. When five miles of said road is completed, the commissioners shall establish a toll-gate, appoint a toll collector, fix a tariff of tolls, and cause the same to be collected; and as the work of constructing said road progresses they may establish other gates upon such road, and provide for the collection of tolls thereat. After deducting the expenses of collecting the same, all tolls shall be paid into the county treasury, to be placed to the credit of said paved road district, and shall be used first for

the purpose of making necessary repairs upon said road, and the surplus, if any, shall be applied to the payment of the interest on said bonds.

SECTION 10. This act to be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 3, 1890.
 68L

[House Bill No. 278.]

AN ACT

To authorize the board of education of Williamsburg special school district, in Clermont county, Ohio, to issue and sell bonds for the purpose of repairing school building in said special school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of the special school district of Williamsburg, Clermont county, Ohio, be and is hereby authorized and empowered to issue and sell the bonds of said district, for an amount not exceeding (\$1,500.00) fifteen hundred dollars, for the purpose of repairing the school building in said special school district, and in no other way.

SECTION 2. Said bonds shall be in sums of not to exceed five hundred dollars each, the first of which shall be payable in two years from date of same, the remainder thereof shall be made payable one each year thereafter, until all are paid, they shall bear interest at a rate not exceeding six per cent. per annum, to be payable annually, and shall not be sold for less than the par value thereof. Said bonds shall be signed by the president thereof, and countersigned by the clerk of the board, and a complete record of the same shall be kept by said clerk.

SECTION 3. Said board of education shall cause the necessary taxes to be levied and assessed in addition to those already allowed by law, to pay the interest on said bonds and to pay the principal thereof, as the same shall become due, in the manner provided by law for levying taxes for school house purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 3, 1890.
 69L

[House Bill No. 188.]

AN ACT

To refund to the tax-payers of Eaton township, Lorain county, Ohio, the amount of money illegally collected.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Lorain county be and are hereby authorized to in-

struct the auditor of said county to deduct from the last half of taxes for 1889 to be paid by the tax-payers of Eaton township, in said county, the amount of money (about \$2,700) illegally collected in 1888 to build a school house in sub-district No. 1 in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 5, 1890.
 70L

[House Bill No. 313.]

AN ACT

To amend section one of an act entitled "an act to provide for the construction of free turnpikes in Ottawa county, Ohio," passed February 8, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of the act passed February 8, 1883, entitled "an act to provide for the construction of free turnpikes in Ottawa county, Ohio," (O. L. 80, page 240), be so amended as to read as follows:

Sec. 1. That the trustees of any township in the county of Ottawa, state of Ohio, are hereby authorized (upon the presentation to them of a petition signed by a majority of the resident tax-payers of said township praying for the same) to constitute said township into two (2) road districts and only two, and thereafter such road districts shall be and remain as constituted, until a majority of the resident tax-payers of such township petition for the abolishment or change thereof. The supervisors of such districts shall, before entering upon their duties, execute a bond in the penal sum of one thousand dollars, payable to the trustees of said township, and conditioned upon the faithful discharge of their duties; and the said supervisors shall receive for their services the sum of two dollars per day for the time actually employed in working and supervising the work in their respective districts.

SECTION 2. That section one of above entitled act, be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 5, 1890.
 71L

[House Bill No. 373.]

AN ACT

To authorize the village of Kent, Portage county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the treasurer of the village of Kent, Portage county, Ohio, be and is

hereby authorized and empowered to transfer the sum of seven hundred dollars (\$700.00) from the police fund to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 5, 1890.

72L

[House Bill No. 331.]

AN ACT

To authorize the trustees of Superior township, Williams county, Ohio, to build a township hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Superior township, in the county of Williams and state of Ohio, be and are hereby authorized to issue bonds of said township in the sum of five thousand dollars, for the purpose of building a township hall, in the village of Montpelier, in the township of Superior, county of Williams, and state of Ohio. The aforesaid building to be built on the grounds known as park in the original plat of the aforesaid village.

SECTION 2. Four thousand five hundred dollars to be expended in the erection of said building, five hundred dollars to be used in improving the park and grounds.

SECTION 3. That such bonds shall bear interest at the rate of six per cent. per annum, payable semi-annually, and shall be delivered at such times and in such amounts necessary for the purpose aforesaid as the trustees may authorize; such bonds shall be issued and sold as prescribed by law.

SECTION 4. That the trustees of said township for the purpose of paying said bonds and interest as the same shall mature is [are] hereby authorized to levy a tax in accordance with the law upon the taxable property, real and personal, of said township to be certified to the auditor of said county of Williams, and the same shall be collected as other taxes for township purposes.

SECTION 5. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 6, 1890.

73L

[Senate Bill No. 96.]

AN ACT

To authorize the commissioners of Lucas county, Ohio, to issue the bonds of the county in a sum not to exceed twenty-five thousand dollars, for the purpose of providing means with which to complete and furnish the children's home of the said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Lucas county, Ohio, are hereby authorized to issue the bonds of the county, to be known as children's home bonds, in a sum not to exceed twenty-five thousand dollars, for the purpose of providing means to complete and furnish the children's home of said county. The said bonds are to bear interest at the rate of four and one-half ($4\frac{1}{2}$) per cent. per annum, payable semi-annually, at the office of the treasurer of said county, and are to be payable in from seven to fifteen years, and are to be sold according to law at not less than their face value.

SECTION 2 For the purpose of paying the bonds and the interest thereon as the same become due and payable, the commissioners are hereby authorized and required to levy annually on all the taxable property within the county, a sum sufficient to pay the same, in addition to all other taxes authorized by law, notwithstanding any limitation a levy at present in force.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 6, 1890.

74L

[House Bill No. 359.]

AN ACT

To authorize the board of education of the village of Glenville, Cuyahoga county, to issue bonds for school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Glenville, Cuyahoga county, be and it is hereby authorized and empowered to issue bonds for an amount not exceeding five thousand dollars (\$5,000), payable at such time and place as the board may determine; provided, that such bonds shall be made payable within five years after the date of the issue thereof.

SECTION 2. Said bonds shall be issued by said board and signed by the president and secretary thereof, who shall keep a record of the same, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be in amount not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) each, as the board may determine. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in payment of the construction and equipment of a school building in said village.

SECTION 3. The board of education of said village shall annually levy such amount of taxes, to be collected as other taxes are, as is necessary to pay said indebtedness and interest thereon as the same may become due and payable; but no greater levy shall be made than is now authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 6, 1890.

75L

[House Bill No. 121.]

AN ACT

To authorize the trustees of Pultney and Mead townships, in Belmont county, to provide for the collection of tolls on the Bellaire and Wegee turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Pultney and Mead townships, in Belmont county, may, when satisfied said road has been made in good order for travel or transportation as a turnpike and the taxes applicable thereto, and the two days' labor will not keep the same in repair, and that three-fourths of the present resident freeholders of the original road district are consenting thereto, appoint three resident freeholders having the qualifications of electors, to act as commissioners of the Bellaire and Wegee turnpike, two of said commissioners to be appointed by the trustees of Pultney township and one by the trustees of Mead township. Said commissioners shall be appointed, one for a term of one year, one for two years, one for three years, and one each year thereafter. Said commissioners shall, within ten days after their appointment, take the oath required of persons holding office in this state, and each give bond for the faithful discharge of his duties under this act in a sum not less than one thousand dollars, said bonds to be given to and approved by the trustees of the township making the appointment.

SECTION 2. Within five days after said commissioners have been sworn and their bonds approved, they shall meet at the office of the trustees of Pultney township and organize by electing a president, treasurer, and secretary, and as soon thereafter as practicable arrange and adopt a tariff of tolls on said turnpike, and provide for the collection of the same by locating, establishing and constructing a toll-gate and toll-house, and appointing a suitable person to act as collector of tolls.

SECTION 3. To pay the cost of constructing a toll-gate and toll-house the trustees of Pultney and Mead townships are authorized and required to pay from the township funds of each township a sum not to exceed one hundred dollars.

SECTION 4. The collector of tolls shall, as often as required by said commissioners, pay over all moneys collected by him to the treasurer, who shall deposit the same by warrant of the clerk of Pultney township with the treasurer of Pultney township.

SECTION 5. The commissioners shall use the moneys accruing from tolls, after paying the cost of collecting, in repairing and improving said turnpike, and the clerk of the board shall draw orders on the treasurer to pay for said repairs and improvements, upon certificates signed by a majority of said commissioners.

SECTION 6. Said commissioners shall be paid from the township fund of said townships, as full compensation for their services, the sum of twenty-five dollars each per annum, each township paying its proportion.

SECTION 7. Said commissioners shall make, annually, in March, a full report of the receipts and expenditures for the preceding year, to the board of trustees of each township.

SECTION 8. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 7, 1890.

76L

[House Bill No. 148.]

AN ACT

To authorize the trustees of Margareta township, Erie county, to levy a tax for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Margareta township, Erie county, Ohio, be and are hereby authorized to levy a tax, not to exceed one thousand dollars, on the taxable property of said township, for the purpose of improving the cemetery, located near the village of Castalia, in said township, and the said levy shall be returned by said trustees to the county auditor, and be placed upon the tax duplicate to be collected as other taxes are collected for township purposes.

SECTION 2. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 7, 1890.

77L

[House Bill No. 208.]

AN ACT

To authorize the commissioners of Noble county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Noble county, Ohio, are hereby authorized to transfer, five thousand dollars, from the fund created by the per capita tax on dogs of said county to the poor fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 7, 1890.
 78L

[House Bill No. 226.]

AN ACT

To authorize the commissioners of Crawford county, Ohio, to transfer a certain sum of money from the dog fund of said county to the use of the agricultural society of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Crawford county, Ohio, be and they are hereby authorized to transfer to the agricultural society of said county the sum of three thousand five hundred dollars (\$3,500) out of any money in the county treasury to the credit of the dog fund of said county. The said funds so transferred to be used by the said society for the purpose of paying the indebtedness of said society, and for making improvements on the grounds of said society.

SECTION 2. Provided, however, that the said commissioners are authorized to make the said transfer of funds, as provided in section 1 of this act, in two installments, as follows, to-wit: One installment of twenty-five hundred dollars (\$2,500) to be transferred by said commissioners at their first regular meeting after the passage of this act, and one installment of one thousand dollars (\$1,000) to be transferred by said commissioners on or before March 1st, 1891.

SECTION 3. This act shall be in force and take effect from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 7, 1890.
 79L

[House Bill No. 329.]

AN ACT

To authorize the incorporated village of Beaver Dam, Allen county, Ohio, to issue bonds and build a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Beaver Dam, Allen county, Ohio, are hereby authorized to issue the bonds of said village, in any amount not exceeding one thousand and six hundred dollars (\$1,600.00), at a rate of interest not exceeding six (6) per cent. per annum, and due in not to exceed five years from their date of issue, for the purpose of building a town hall in said village. Said bonds shall be issued and sold according to law, and shall not be sold for less than their par value.

SECTION 2. The council of said village is authorized to levy, annually, on all taxable property of said village, in addition to that authorized by law, an amount necessary to pay the interest and principal on the said bonds as the same may fall due. The said tax to be used only for the purpose of paying the interest and principal on said bonds.

SECTION 3. Before issuing said bonds the council shall submit the question of issuing said bonds to the qualified electors of said village, at some special or general election due notice of which shall be given by written or printed notices posted in not less than six (6) conspicuous places in said village not less than two weeks before said election. At said election those voting in the affirmative shall have written or printed on their tickets, "For issue of town hall bonds—Yes;" and those voting in the negative shall have written or printed on their tickets, "For issue of town hall bonds—No." If two-thirds of the votes cast at said election shall be in favor of the issue of bonds, then and only then shall the said council be authorized to issue the said bonds.

SECTION 4. This act shall take effect on and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 7, 1890.

80L

[House Bill No. 377.]

AN ACT

To authorize the council of the incorporated village of Taylorsville, Muskingum county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Taylorsville, Muskingum county, Ohio, be and are hereby authorized and empowered to transfer one hundred dollars from the corporation fund of said village to the water supply fund of said village, and one hundred dollars from the general expense fund of said village to the water supply fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 7, 1890.

81L

[House Bill No. 422.]

AN ACT

Authorizing the trustees of Athens township, Athens county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Athens township, Athens county, Ohio, are hereby author-

ized and empowered to transfer one thousand dollars (\$1,000.00) from the township fund of said township, to the road fund of said township.

SECTION 2. This act shall take effect on and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 11, 1890.

82L

[House Bill No. 390.]

AN ACT

To authorize the board of education of Belle Center union school district, of Logan county, Ohio, to issue bonds for the purpose of purchasing a site, and erecting and furnishing a school building for said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Belle Center union school district, of Logan county, Ohio, be and the same is hereby authorized to issue bonds of the said district, as provided by the conditions hereof, not exceeding in amount the sum of fourteen thousand dollars, and in denominations of not exceeding five hundred dollars each, bearing interest at a rate not exceeding six per cent., payable semi-annually, on the first days of March and September, for the purpose of purchasing a site and erecting and furnishing a new school building in said district.

SECTION 2. Said bonds shall be made payable at such place and at such time, not exceeding seventeen years, as said board of education may by resolution provide, and they shall be sold according to law and for not less than their par value, and shall be signed by the president and clerk of said board of education.

SECTION 3. That for the purpose of paying the interest and principal of said bonds, said board of education is hereby authorized to levy, annually, upon all the taxable property of said district, any amount not exceeding five mills on the dollar, in addition to what they are now authorized to levy.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 12, 1890.

83L

[House Bill No. 423.]

AN ACT

To authorize the village of Clyde, Sandusky county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Clyde, Sandusky county, Ohio, be and hereby is authorized to transfer certain funds of said village, now in the treasury thereof, and to be realized from the annual levy made by ordi-

nance passed May 17, 1889, as follows, to-wit: From the street improvement fund six hundred dollars (\$600.00), from the fire fund six hundred dollars (\$600.00), from the street light fund one thousand dollars (\$1,000.00), from the police fund one thousand dollars (\$1,000.00), from the C. S. & C. railway judgment fund one hundred sixty-six dollars and seven cents (\$166.07), from the interest fund ten dollars (\$10.00), making a total amount of three thousand three hundred seventy-six dollars and seven cents (\$3,376.07), to the sinking fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 12, 1890.
84L

[House Bill No. 202.]

AN ACT

To authorize the city of East Liverpool, Columbiana county, and state of Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated city of East Liverpool, Columbiana county, Ohio, be and is hereby authorized and empowered to transfer the sum of three thousand dollars (\$3,000) from the funds received from the sale of bonds for street paving, to the general fund; also, to transfer one thousand dollars (\$1,000) from the fund received from the sale of bonds for street paving, to the street fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 12, 1890.
85L

[House Bill No. 265.]

AN ACT

For the relief of Samuel Taggart, as surety of David Horst, treasurer of Baughman township, Wayne county, Ohio.

WHEREAS, David G. Horst was, at a general election held on the 5th day of April, A. D. 1885, elected treasurer of Baughman township, Wayne county, Ohio, and duly qualified and entered upon the duties thereof, with Isaac Horst, D. H. Warfel and Samuel Taggart as the sureties on the bond of said treasurer, in the sum of \$6,000, for the safety of the school funds of said township that would come into said treasurer's hands; and

WHEREAS, Afterward, about December, 1885, and, while said David G. Horst was holding said office of treasurer, he became insolvent, and

unable to settle with the trustees and board of education of said township, and pay over the money he received and remaining in his hands, belonging to said township and board of education, to his successor in office; and

WHEREAS, On settlement the amount found in the hands of said treasurer, which he failed to pay over, was one thousand eight hundred sixty-three dollars and fifty-eight cents (\$1,863.58), of which amount the said Samuel Taggart has paid of his own funds, the sum of one thousand six hundred ten dollars and eight cents (\$1,610.08), leaving a balance of said deficit of two hundred fifty-three dollars and fifty cents (\$253.50), yet unpaid, all of which deficit said Samuel Taggart will be compelled to pay, because both of the other said sureties became insolvent in December, A. D. 1885, and are yet insolvent; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees and board of education of Baughman township, Wayne county, Ohio, are hereby authorized to release said Samuel Taggart as surety on the said bond of said David G. Horst, as treasurer of said township, from any further payment on said bond, and especially of said sum of two hundred fifty-three dollars and fifty cents (\$253.50), belonging to the school fund of said township; that the said trustees shall submit said proposition to release to the qualified electors of said township, at a general election, or a special election, and sixty per cent. of said electors voting at such election shall declare in favor of such release.

SECTION 2. It shall be the duty of said trustees, before submitting said proposition at said election, to give notice by advertisements posted in three conspicuous places in said township at least ten days preceding said election, stating the object thereof; and the form of the ballot shall be the following: For release—Yes; For release—No. The trustees shall provide a special ballot-box for such ballots, and make due return of the result of said election to the auditor of said county.

SECTION 3. This act to take effect on and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 12, 1890.

86L

[House Bill No. 381.]

AN ACT

To amend section 3 of an act passed March 24, 1888 (O. L., 1888, page 455).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of an act passed March 24, 1888 (Ohio Laws 1888, page 455), be amended so as to read as follows:

Sec. 3. The funds realized from the sale of said bonds shall be used by the city council of said city for the purpose of constructing and furnishing said city building or hall and for no other purpose, and said building shall be located on the grounds on which the present city building is situated, and the tax levied to pay such bonds and the interest thereon, shall, when collected, be passed to a fund to be called the city building fund; provided, however, that [if,] when all the bonds issued under

this act and the interest thereon have been paid, there be any moneys remaining in said fund, the same shall be transferred to the corporation fund of said city.

SECTION 2. That section 3 of the act passed March 24, 1888 (O. L. 1888, page 455), is repealed and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 12, 1890.
87L

[House Bill No. 383.]

AN ACT

To authorize the trustees of Rockport township, Cuyahoga county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Rockport township, Cuyahoga county, Ohio, be and they are hereby authorized to transfer one thousand dollars from the poor fund to the general township fund.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 12, 1890.
88L

[House Bill No. 332.]

AN ACT

To authorize the commissioners of Franklin county, Ohio, to remove the old bridge across the Scioto river, at Mound street, city of Columbus, and to construct a new bridge on the same site.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Franklin county be and they are hereby authorized to remove the old bridge across the Scioto river, at Mound street, in the city of Columbus, county of Franklin, and to construct a new bridge on the same site, and in the exercise of their powers, and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are conferred and prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses for removing said old bridge, and constructing said new bridge, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county, Ohio, according to law, in sums not less than one thousand dollars each, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of forty thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax

duplicate of said county, to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 12, 1890.
89L

[House Bill No. 376.]

AN ACT

To authorize the council of the village of Perrysburg, Wood county, Ohio, to sell and convey the natural gas plant, or part of the same, owned by said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Perrysburg, in the county of Wood, state of Ohio, is hereby authorized to sell and convey the whole or any part of the natural gas plant and appurtenances now owned or operated by said village upon such terms as the said council shall agree upon with the purchaser or purchasers thereof. And where any contract has already been made or agreed upon by said council for the sale of any part of said plant, the mayor and clerk of said village are hereby authorized, upon the payment into the village treasury of the contract price in full, to execute to the purchaser or purchasers a good and sufficient conveyance of the same, upon the terms and conditions made in said contract.

SECTION 2. It shall be the duty of said village council to appropriate the proceeds of such sale, so far as they may go or be necessary to the payment of the interest bearing debt of said village.

SECTION 3. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 13, 1890.
90L

[House Bill No. 434.]

AN ACT

Supplementary to an act to authorize the village of East Liverpool, Columbiana county, Ohio, to issue bonds for the construction of water-works, passed February 5, 1879, and the acts supplementary thereto, passed April 9, 1880, and January 28, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the [council of the] city of East Liverpool, Columbiana county, Ohio, be and they are hereby authorized to issue the bonds of said city, not exceeding (\$90,000.00) ninety thousand dollars, as hereafter provided, for the purpose of building additional reservoir, improving, enlarging and extending the water-works in said city.

SECTION 2. Said bonds shall be made payable at such time or times, not exceeding thirty (30) years from the respective dates thereof, and payable at such place or places as said council may determine; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and they shall be in denominations of not less than five hundred dollars (\$500), and not more than one thousand dollars (\$1,000), as said council may determine; they shall be issued at such time or times, and in such amount or amounts as said council may determine, and sold according to law for not less than their par value.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same may become due, the said city council is hereby authorized to levy a tax on all taxable property of the city, not to exceed three mills on the dollar in any one year, in addition to the taxes now authorized by law, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 13, 1890.
 91L

[House Bill No. 131.]

AN ACT

Providing for the appointment of a stationery store-keeper and assistant in the county of Hamilton.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there shall be appointed by the clerk of the court of common pleas, in all counties containing at the last federal census, a city of the first grade of the first class, a stationery store-keeper, whose duty it shall be to purchase and have sole charge of all blank books, stationery, printing and office appliances, which may be necessary or needful for the various offices of the county. The salary of said officer shall be fifteen hundred dollars (\$1,500) per annum, and he shall have the power to appoint an assistant at a salary of eight hundred dollars (\$800) per annum. The salaries of said officers shall be paid from the general fund of the county. Said stationery store-keeper and assistant shall hold office at the pleasure of the said clerk. The salaries of said store-keeper and assistant, and all purchases made by him, shall be paid for by the county treasurer, upon vouchers signed by said stationery store-keeper, and countersigned by the said clerk and approved by the board of control of said county, from the general fund of the county. The said stationery store-keeper shall give bond in the sum of five thousand dollars (\$5,000) satisfactory to the said clerk for the faithful performance of his duties.

SECTION 2. All acts or parts of acts in conflict with this act are hereby repealed.

SECTION 3. That this act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 14, 1890.
 92L

[House Bill No. 115.]

AN ACT

To authorize the First Presbyterian church, of Athens, Ohio, to sell and convey that part owned by said church, of in-lot number 18, situate in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the First Presbyterian church, of the incorporated village of Athens, in Athens county, Ohio, be and are hereby authorized to sell and convey, in fee simple, subject to the payment of rents and taxes, to the Ohio university, all that part of in-lot number 18, now occupied by said church, situate in said village.

SECTION 2. The purchase money arising from said sale and conveyance, provided for in section one of this act, shall be invested in other real estate, situate in said village, and in the erection and furnishing a church edifice thereon, for the ownership and occupancy of said church; provided, the said property to be so purchased, constructed and occupied, shall not be subject to rents and taxes, or either, payable to the Ohio university.

SECTION 3. This act shall take effect and be in force on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
 93L

[House Bill No. 229.]

AN ACT

To relieve the bondsmen of Abel Lodge, late treasurer of the incorporated village of New Lisbon, Columbiana county, Ohio, and to provide the means for such relief.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of New Lisbon, Columbiana county, Ohio, is hereby authorized and empowered to refund to Henry W. Bough and Ezra Frost, bondsmen of Abel Lodge, as the late treasurer of said village, or to their legal representatives, the sum of three thousand eight hundred dollars, a part of the amount which they have, as such bondsmen, been compelled to pay, by reason of the defalcation of said treasurer.

SECTION 2. That, for the purpose aforesaid, the council of said incorporated village of New Lisbon, be empowered and authorized to borrow said sum of three thousand eight hundred dollars, and to issue the bonds of said incorporated village of New Lisbon therefor; said bonds shall be

signed by the mayor of said village and countersigned by the clerk thereof, and to be for five hundred dollars each, except the last one which shall be for three hundred dollars, payable in one, two, three, four, five, six, seven, and eight years, respectively, from the date of the issuing thereof, and bearing interest at the rate of six per centum per annum, payable annually, and such bonds may have interest coupons thereto attached. The question of issuing said bonds and levying said tax shall first be submitted to a vote of the qualified electors of said village at a regular or special election called by the council of said village of which at least ten days' notice shall be given by publication in the newspapers published within the limits of said village of the time and place of holding said election. At such election the ballots shall have written or printed thereon, "Security relief bonds—Yes," or "Security relief bonds—No," and if it shall appear that two-thirds of the electors voting upon such question had upon their ballots, "Security relief bonds—Yes," then said council shall proceed to issue said bonds, and levy said tax, and not otherwise.

SECTION 3. That said council of said incorporated village of New Lisbon shall, annually, thereafter, cause the necessary taxes to be levied to pay the principal and interest of said bonds, as the same shall become due, in the manner provided by law for the levying and collection of taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.

94L

[House Bill No. 231.]

AN ACT

To authorize the board of county commissioners of Pike county to purchase the toll-turnpike-roads in said county, lying and being, and to repeal an act to authorize said commissioners to buy toll-roads, contained in vol. 81, O. L., p. 349.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Pike county, Ohio, be and they hereby are authorized and empowered to purchase any or all, or any part of the toll-turnpike-roads, lying and being in said county, upon such terms as they may agree with the owner or owners of the same.

SECTION 2. That for the purpose of paying for said road or roads or parts of said road or roads, so purchased by said commissioners, said commissioners are hereby authorized and empowered to issue bonds of said county, in such denominations and payable at such time or times as they may deem advisable, and in amounts equal to such purchase or purchases, and to bear six per cent. interest, payable semi-annually, and to be disposed of according to law; and said commissioners, for the purpose of paying said bonds and interest, when the same becomes due, are authorized and directed to levy a tax upon all the taxable property of the county, in such an amount as may be necessary; provided, that no action shall be taken by the commissioners, until they have submitted the question to

a vote of the people of said county at some general or special election, after having given at least two weeks' notice by publication in two newspapers of general circulation in said county, and a majority of all the votes cast on said proposition be in favor of the same.

SECTION 3. That said act entitled "an act to authorize the commissioners of Pike county, Ohio, to buy certain toll-roads in said county, lying and being, and to make the same free roads," and contained in vol. 81, O. L., p. 349, be and the same hereby is repealed.

SECTION 4. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
95L

[House Bill No. 270.]

AN ACT

To authorize the trustees of the Concord Methodist Episcopal church, of Liberty township, Ross county, Ohio, to sell and convey one acre of land, situate in the N. E. quarter of section one (1), township seven (7) and range twenty-one (21), and being the premises heretofore used by said denomination for cemetery and church purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the Concord Methodist Episcopal church of Liberty township, Ross county, Ohio, be and they are hereby authorized to sell and convey, in fee simple, subject to be used for cemetery purposes only, to the Concord cemetery association, situate in Liberty township, said Ross county, Ohio, all that part of the real estate formerly occupied by said church society for church and cemetery purposes (now abandoned for church purposes), consisting of about one (1) acre; and a part of the N. E. quarter of section one (1), township seven (7) and range twenty-one (21).

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
96L

[House Bill No. 361.]

AN ACT

To authorize the trustees of Montville township, Geauga county, Ohio, to purchase land and use the same for township cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Montville, in Geauga county, are hereby authorized to purchase for said township, six acres of land, situate in the northeast quarter of lot thirteen, in said township, the same being bounded west by the public highway leading from Montville corners to Thompson,

in said county, north and east by land of O. B. Smith, and south by land belonging to the Methodist Episcopal church; the same to belong to said township, and to be used thereby for the purposes of a township cemetery.

SECTION 2. Said trustees are hereby authorized to incur an indebtedness by the purchase of said property, of not more than one thousand dollars, and may issue the bonds of said township, payable not more than five years from their date, which shall bear interest at a rate not exceeding six per cent. per annum, and which shall be sold at not less than par value. Said trustees are hereby authorized to levy a tax upon all the taxable property of said township to meet the payment of principal and interest upon said bonds as the same may become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
97L

[House Bill No. 370.]

AN ACT

To change the name of Charles Dewey Nichols.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the name of Charles Dewey Nichols, a resident of Morrow county, Ohio, is hereby changed to that of Frederick Nichols Lavelle.

SECTION 2. Said change shall not in any way affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WM. V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
98L

[House Bill No. 427.]

AN ACT

To provide for a special school district in the county of Henry and state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the following described territory, to-wit: Section thirty-six (36), thirty-five (35), twenty-six (26), twenty-five (25), twenty-four (24), twenty-three (23), and the east half of the east half of section twenty-two (22), in township of Pleasant, and the west half, and the west half of the east half of sections thirty (30), and thirty-one (31), in the township of Marion, in the county of Henry, and state of Ohio, be erected and constituted a special school district, and that the above described territory is hereby set apart as such special school district under the name and designation of South Ridge special school district.

SECTION 2. That all school property, including buildings and furniture, now located on the territory described in section 1 of this act, shall be a part of and belong to said special school district, subject to and under the control of the board of education of said special school district.

SECTION 3. That on the second Monday of April, 1890, the qualified electors residing within and upon the territory designated in section 1 of this act, are hereby authorized to assemble at the school house now located upon said special school district, and elect by ballot three members for a board of education for said special school district, in manner and form as school directors are chosen under the laws of this state.

SECTION 4. The said members of the board of education so chosen shall be invested with power to employ school teachers, erect school houses, and maintain a common school in said special school district, and to levy taxes for the maintenance of the same, under the provisions of the school laws of this state.

SECTION 5: This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro. tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
 99L

[House Bill No. 435.]

AN ACT

To authorize the council of the village of Cairo, Allen county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Cairo, Allen county, Ohio, be and are hereby authorized to transfer the sum of three hundred and seventy-four dollars and eighty-seven cents (\$374.87) from the Dow liquor fund to the general fund of said village.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro. tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
 100L

[House Bill No. 437.]

AN ACT

To authorize the incorporated village of Miamisburg, Montgomery county, Ohio, to remove all bodies remaining in the burying grounds on the southwest corner of Market and Vine streets in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Miamisburg, Montgomery county, Ohio, be and it is hereby authorized to remove all bodies remaining in the burying grounds on the southwest corner of Market and Vine streets, in said village, to the cemetery in the east end of said village, known as

the Miamisburg cemetery; provided, however, that it shall cause notice first to be given to the family, friends or kindred of the deceased if known to such council, of the order for their removal, and of the time within which not less than thirty days such removal must be made, and that it is desired that such removal be made by the friends of kindred of the dead, and if at the expiration of such time, such removals have not been made, said council shall cause them to be made as aforesaid, and so far as practicable all monuments and tombstones shall be removed and re-erected at the place of re-interment of the remains of each person respectively, and the council of said village of Miamisburg is hereby authorized and empowered to contract and pay for the removal of all of said bodies that are not removed by their friends or kindred.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 18, 1890.

101L

[House Bill No. 440.]

AN ACT

To authorize the village of Covington, Ohio, to increase its educational facilities and to issue the bonds of the village to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Covington, Miami county, Ohio, be and are hereby authorized to issue the bonds of said village, in denominations of not less than one hundred dollars, nor more than five hundred dollars each, and in the aggregate not to exceed fifteen thousand dollars, for the purpose of raising money to purchase a site and build school buildings in said village, which bonds shall have proper coupons attached, and bear a rate of interest not to exceed six per cent. per annum, payable semi-annually, at such place as the council of the said village may by ordinance or resolution determine.

SECTION 2. Said bonds shall be signed by the mayor of the said village of Covington, and countersigned by the clerk of said village, and they shall be issued in such denominations, respectively, as will, in the judgment of the council, best subserve the negotiations and sale thereof, and shall not be sold for less than their par value with the accrued interest, and said bonds may, by ordinance or resolution of the council, be sold at private sale without advertising. The principal of said bonds shall be payable at such place and times as the council may determine by ordinance or resolution, not to exceed fifteen years from the date thereof. And said council is hereby authorized to levy a tax, annually, on all the taxable property of said village of Covington, to pay said bonds and the interest thereon, as the same may become due.

SECTION 3. Before said bonds shall be issued, it shall be the duty of the common council of the said village of Covington to submit said proposition to issue bonds and levy said tax to the qualified electors of said village at a general or special election to be called for that purpose; ten days' notice of the proposed submission of said proposition to levy

tax and issue bonds shall be given by posting notices in at least five (5) public places in said village. The form of the ballots of said election, on said proposition, shall be as follows: "For the issue of bonds—Yes;" "For the issue of bonds—No;" and if a majority of the qualified electors voting at said election shall vote in favor of said proposition, said village council shall be authorized to issue said bonds and levy said tax, and not otherwise.

SECTION 4. This act shall be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 18, 1890.

102L

[House Bill No. 526.]

AN ACT

To provide the amount of bond required of trustees under an act entitled "an act to authorize the board of councilmen of the incorporated village of Coldwater, Mercer county, to issue bonds for natural gas purposes, and pay indebtedness," passed April 15th, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That each trustee of the natural gas works authorized, appointed, or elected in pursuance, or as a result of the above entitled act, may be required, by the common council of said village to give a bond satisfactory to said council, for a sum not less than five hundred, nor more than twenty-five hundred dollars, as shall by resolution or ordinance of said council be required.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 18, 1890.

103L

[House Bill No. 549.]

AN ACT

To authorize the council of the village of New Richmond, Clermont county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Richmond, Clermont county, Ohio, be and are hereby authorized to transfer the sum of two hundred and thirty-four dollars and thirty-five cents (\$234.35) from the bond and interest fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 18, 1890.
104L

[House Bill No. 137.]

AN ACT

For the relief of Frederick H. F. Egbert, treasurer of the incorporated village of Dresden, Muskingum county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Dresden, Muskingum county, Ohio, are hereby authorized and empowered to release and forever discharge the said Frederick H. F. Egbert, and the sureties on his official bond for his term of office beginning in 1884, from the payment of, and all liability for so much of the funds in his hands as such treasurer as was by him, previous to February 9, 1885, deposited with the banking house of L. J. Lemert & Sons, and remains unpaid, to-wit: The sum of three hundred and eighty-five dollars, and all interest thereon; provided, however, that the said Frederick H. F. Egbert shall fully, and without recourse on him, transfer to the said incorporated village of Dresden, all certificates of deposit and other evidences of indebtedness which he holds against the late firm of L. J. Lemert & Sons, of Dresden, Ohio, for the funds of said village by him so deposited with said firm, the same to be held and collected by said village for its use and benefit.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.
105L

[House Bill No. 276.]

AN ACT

To change the name of John Jackman, jr., of Vinton county, Ohio, to John Harrison Jackman.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of John Jackman, jr., of Vinton county, Ohio, be and the same is hereby changed to John Harrison Jackman.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.
106L

[House Bill No. 371.]

AN ACT

To change the names of Henry Troutman, Mary Susan Troutman, Lillie Florence Troutman, Sophia Genette Troutman, Bessie Alverda Troutman, Anna Mary Troutman, and Samantha Catharine Troutman.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the names of Henry Troutman, Mary Susan Troutman, Lillie Florence Troutman, Sophia Genette Troutman, Bessie Alverda Troutman, Anna Mary Troutman, and Samantha Catharine Troutman, residents of Pike county, Ohio, be and the same are hereby changed so as to read as follows, to-wit: Henry Mowery, Mary Susan Mowery, Lillie Florence Mowery, Sophia Genette Mowery, Bessie Alverda Mowery, Anna Mary Mowery, and Samantha Catharine Mowery, respectively.*

SECTION 2. That such change shall in no wise affect the rights, privileges and liabilities of said persons.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.
107L

[House Bill No. 379.]

AN ACT

To authorize the council of the incorporated village of Barnesville, Belmont county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Barnesville, Belmont county, Ohio, be and the same is hereby authorized to transfer the sum of two thousand two hundred and eighty-four dollars and ninety-two cents (\$2,284.92) from the engine fund of said village to the fire, street and general fund of said village.*

SECTION 2. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.
108L

[House Bill No. 392.]

AN ACT

To change the name of Rollie Kirchner to Rollie Rodgers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the name of Rollie Kirchner, of Lorain county, Ohio, be and the same is hereby changed to Rollie Rodgers.*

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.
109L

[House Bill No. 397.]

AN ACT

To authorize the council of Prospect, Marion county, Ohio, to issue bonds and borrow money for the purpose of improving Water street, in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Prospect, Marion county, Ohio, be and the same is hereby authorized to issue bonds and borrow money in any sum not exceeding three thousand dollars, and levy a tax to pay the same, in addition to other taxes authorized by law, for the purpose of improving Water street, in said village. Said bonds to be for the sum of \$500 each, and to be paid in six equal annual payments. Said bonds to draw interest not exceeding six per cent.; said interest to be paid semi-annually, and shall be sold in accordance with law; and provided, further, that before this act shall go into effect, it shall be submitted to the qualified electors of said village and receive a majority of the votes of said village cast at a regular or special election.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.
110L

[House Bill No. 495.]

AN ACT

To authorize the trustees of Orwell township, Ashtabula county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Orwell township, Ashtabula county, Ohio, be and are hereby authorized to transfer four hundred (\$400) dollars from the cemetery fund of said township to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 20, 1890.
111L

[House Bill No. 545.]

AN ACT

To authorize the council of the incorporated village of Nelsonville, Athens county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Nelsonville, Athens county, Ohio, be and the same is hereby authorized to transfer the sum of six hundred (\$600.00) dollars from the police to light fund.*

SECTION 2. This act shall take effect on and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 20, 1890.

112L

, [House Bill No. 138.]

AN ACT

For the relief of John C. McFarland, late treasurer of Cass township, Muskingum county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees or other proper officers of Cass township, in Muskingum county, Ohio, are hereby authorized and empowered to release John C. McFarland, late treasurer of said township, and his sureties on his official bond as treasurer of said township, from the payment of the sum of five hundred and seventeen dollars and twenty-seven cents; provided, however, that the said John C. McFarland, as such late treasurer, shall fully transfer, without recourse on him, any and all certificates of deposit or other evidences of indebtedness which he holds against the late banking company of L. J. Lemert & Sons, of Dresden, Ohio, to the treasurer of said Cass township, to be by such treasurer collected for the benefit of said township; and the successors in office of said John C. McFarland shall only be held liable to the township trustees and to said township for the amount of dividends received from the assignee of said banking company on account of the same, or from its individual members, or their executors or administrators, respectively.*

SECTION 2. This act shall take effect and be in force on and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

113L

[House Bill No. 245.]

AN ACT

To authorize the council of the city of Washington, in Fayette county, Ohio, to issue and sell bonds in any sum not to exceed forty thousand dollars (\$40,000) for the improvement of the streets of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Washington, in the county of Fayette, and state of Ohio, be and it is hereby authorized and empowered to issue and sell the bonds of said city in any sum but not to exceed the sum of forty thousand dollars (\$40,000.00), for the purpose of subsequently improving the streets of said city..

SECTION 2. Said bonds when issued and sold shall not bear interest at a rate exceeding five per cent. per annum, interest to be payable semi-annually; said bonds to be of such denominations as the council of said city may prescribe and direct, not less than five hundred dollars (\$500.00) each, and all of said bonds shall be made payable at such times and places as said council may prescribe by ordinance, but not to run longer than thirty years from the date thereof; said bonds shall not be sold for less than par, and the proceeds of the sale of said bonds shall be used only for improving the streets of said city.

SECTION 3. Said bonds shall be signed by the mayor of said city and attested and registered by the clerk, and shall express upon their face the purpose for and act under which issued. When said bonds are sold, the proceeds thereof shall be paid to the treasurer of said city, who shall hold and disburse the same as other city funds; said bonds shall be sold from time to time and in such amounts as the council of said city may deem proper.

SECTION 4. If any bonds of said city are issued as herein provided, it shall be the duty of said council of said city thereafter, to assess and levy a tax, and if necessary in addition to that now authorized by law, on all the taxable property of and in said city of Washington, sufficient to provide for the payment of the principal and interest of said bonds, when the same shall become due and payable, and said taxes shall be collected as other taxes of said city.

SECTION 5. Provided, however, and before said bonds can be issued or sold the council of said city of Washington shall submit the question of issuing the bonds aforesaid, and making the improvements aforesaid, to the qualified electors of said city at a regular or special election called and held for that purpose, of which election at least ten days' notice shall be given by publication in two newspapers published and of general circulation in said city, which notice shall contain the time and place of holding such election, and if a majority of the electors voting upon said question, shall vote in favor of the same, then and not otherwise shall the council of said city be authorized to issue the bonds as herein provided. Those voting in favor of the proposition to issue bonds for the improvement of the streets of said city shall have written or printed upon their tickets the words "Authority to issue bonds for street improvements—Yes;" and those voting against said proposition the words "Authority to issue bonds for street improvements—No."

SECTION 6. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

114L

[House Bill No. 314.]

AN ACT

To authorize the council of the incorporated village of Waverly, Pike county, Ohio, to issue bonds for the purchase of suitable grounds, and the erection thereon of a town hall, and repealing an act entitled "an act to authorize the council of the incorporated village of Waverly, Pike county, Ohio, to issue bonds for the erection of a town hall," passed March 25, A. D. 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Waverly, Pike county, Ohio, be and the same is hereby authorized to issue the bonds of said village, in a sum not exceeding ten thousand dollars (\$10,000), for the purpose of purchasing suitable grounds in said village, and erecting thereon a town hall.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and may be issued in such denominations and sold in such manner, at not less than their par value, as said council by ordinance may determine, to bear interest not exceeding six (6) per cent. per annum, payable semi-annually, and redeemable within fifteen (15) years from the date of issue. Before any bonds are issued, or taxes levied, the question of issuing the bonds shall be submitted to the voters of the municipal corporation at a general or special election, and ten days' notice of the submission shall be given in one or more newspapers printed therein, stating the amount of bonds to be issued, the purpose for which they are to be issued, and the time and place of holding the election, and if a majority of the voters voting at such election upon the question of issuing bonds vote in favor thereof, then and not otherwise the bonds shall be issued and the taxes levied. Those who vote in favor of the proposition shall have written or printed on their ballots, "For the issue of bonds;" and those who vote against the same shall have written or printed on their ballots the words, "Against the issue of bonds."

SECTION 3. Said council is hereby authorized to levy a sufficient tax on the taxable property in said village, to meet any indebtedness incurred under this act.

SECTION 4. That an act entitled "an act to authorize the council of the incorporated village of Waverly, Pike county, Ohio, to issue bonds for the erection of a town hall," passed March 25, A. D. 1885, be and the same is hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

115L

[House Bill No. 319.]

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across the Scioto river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of commissioners of Franklin county, Ohio, be and they are hereby authorized and empowered to construct a bridge across the Scioto river in the place of the one now standing and known as Fishinger's bridge, near Fishinger's mill, in Norwich township, in said Franklin county, together with the proper and necessary approaches thereto, at a cost not to exceed the sum of forty thousand dollars; and in the exercise of their powers and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.*

SECTION 2. For the purpose of raising money to defray the expense of constructing such bridge, with the proper and necessary approaches thereto, said commissioners are hereby authorized and empowered to issue and sell bonds of said Franklin county, at not less than their par value, in sums of not less than five hundred dollars each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and not to exceed, in the aggregate, the sum of forty thousand dollars (\$40,000); and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county, to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON.

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

116L

[House Bill No. 339.]

AN ACT

For the relief of Robert R. Humphrey, late treasurer of Green township, Ashland county, Ohio.

WHEREAS, At the April election, 1885, in Green township, Ashland county, Ohio, Robert R. Humphrey was elected treasurer of said township; and

WHEREAS, On the night of August 22, 1885, the said Robert R. Humphrey was robbed of the funds of said township in his hands as such treasurer, in the sum of two hundred and one dollars (\$201.00); and

WHEREAS, Said Humphrey, at great expense, used every lawful means to apprehend and punish said robbers, but failed; and

WHEREAS, Said Humphrey, of his own means, accounted for and paid over to the use of said township said sum of money; and

WHEREAS, Four hundred and four (404) of the qualified electors of

said township have petitioned this general assembly to pass an act for the relief of said Humphrey; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Green township, Ashland county, Ohio, be and they are hereby authorized and empowered to draw their warrant or order upon the treasurer of said Green township, and in favor of said Robert R. Humphrey, for the sum of two hundred and one dollars (\$201), the amount of funds of said township of which said Humphrey, when treasurer, was robbed, and that the treasurer of said township be directed and required to pay to said Humphrey the amount of said warrant out of any funds in his hands that may be produced by any levy for that purpose, made by the trustees of said township, pursuant to section 2 of this act.

SECTION 2. For the purpose of paying the warrant and sum of money in section 1 of this act provided for, the trustees of said township are authorized and empowered to levy upon all the taxable property of such township, a tax sufficient to produce the sum of money aforesaid, and shall certify the same to the county auditor as in other cases.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

117L

[House Bill No. 406.]

AN ACT

To amend sections 1, 2, 4 and 6 of the act passed April 13, 1889 (88 O. L., 672), entitled "an act to authorize the commissioners of Madison county to build a court house and jail, and purchase real estate therefor."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1, 2, 4 and 6 of the act passed April 13, 1889, entitled "an act to authorize the commissioners of Madison county to build a court house and jail, and purchase real estate therefor," shall be so amended as to read as follows:

Sec. 1. The commissioners of Madison county are hereby authorized to construct a court house and jail at such point in the county seat of said county as, in their judgment, may be deemed most for the public good, according to plans and specifications heretofore, or which may hereafter be determined upon therefor, according to law in such case, and under contract or contracts therefor to be let and entered into according to law; and said buildings shall be completed as soon as practicable.

Sec. 2. The commissioners of said county are hereby authorized, as they may deem it best for the public good, either to use the real estate now owned by said county at said county seat as a site for said buildings, or to purchase or appropriate according to law, additional real estate contiguous to said real estate now owned by said county, and use such additional real estate together with that now owned by said county as a site for said buildings.

Sec. 4. The commissioners of said county, for the purpose of building said court house and jail, and the purchase of real estate therefor, are

hereby authorized to borrow such sum or sums of money as they shall deem necessary, not to exceed two hundred thousand dollars (\$200,000), at a rate of interest not to exceed six per cent. per annum, and issue bonds of said county to secure the payment of the principal and interest thereon; such interest shall be paid semi-annually, and the principal shall be paid at such times as the commissioners shall prescribe within twenty years from the date of such indebtedness; and such bonds shall not be sold for less than their par value.

Sec. 6. The commissioners shall annually, at their June session, levy such tax on the personal and real property in said county as will pay the interest on such indebtedness, and the principal as it matures, not to exceed thirty thousand dollars (\$30,000) in any one year.

SECTION 2. Said original sections 1, 2, 4 and 6 are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
118L

[House Bill No. 432.]

AN ACT

To regulate, govern, and keep in perpetual repair the Bloomfield cemetery and buildings, in South Bloomfield and Bennington townships, Morrow county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That four-fifths of the township of South Bloomfield lying on the west, and the east half of Bennington township adjoining to South Bloomfield shall, as heretofore, compose the Bloomfield cemetery district, in Morrow county, Ohio.

SECTION 2. Said cemetery shall be controlled by five trustees, appointed as follows: The trustees of each of the said townships, at their first annual meeting, shall appoint one for one year, and one for two years, and annually thereafter, one for two years; and the local trustees shall appoint two trustees to serve the same length of time, and one annually thereafter to serve two years.

SECTION 3. Said trustees, at their first meeting, shall elect one of their number secretary, and one treasurer, who shall give proper bonds, and hold their respective offices for terms of two years.

SECTION 4. No member of this board shall receive any compensation for his services, except the secretary and the treasurer. The secretary shall not receive more than one dollar and fifty cents (\$1.50) per day for each day's service rendered. The treasurer to receive one per centum of all moneys paid out.

SECTION 5. It shall be the duty of this board to annually determine and report to the trustees of their respective townships before the first Monday in May, annually, the amount of levy required, not to exceed one-fourth of a mill on the dollar for any one year. To the amount so estimated the trustees of the townships shall certify, in writing, before the first Monday in June of each year, to the auditor of the county, who

shall assess the entire amount upon all the taxable property of said cemetery district, and enter the same upon the tax list of the county, and the county treasurer shall collect the same at the same time and in the same manner as the state and county taxes are collected, and pay it to the treasurer of the cemetery district upon the warrant of the county auditor; and he shall not receive more than one per centum on all moneys so collected.

SECTION 6. All real property that now composes said cemetery that has not been sold for burial purposes, or devoted to parks and streets, shall be vested in the hands of this board without any compensation therefor.

SECTION 7. The board shall make all needful rules and regulations to govern said cemetery not inconsistent with the provisions of this act.

SECTION 8. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
119L

[House Bill No. 456.]

AN ACT

To authorize the board of education of the Youngstown city school district, of Mahoning county, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Youngstown city school district, of the city of Youngstown, Mahoning county, state of Ohio, and the territory annexed thereto for school purposes, be and they are hereby authorized to borrow forty thousand dollars, of which said sum twenty-five thousand dollars shall be used for the purpose of providing school houses and sites therefor in said district; and the remaining fifteen thousand dollars shall be used for the purpose of paying an equal amount of the bonds of said district, now outstanding, that are due and unpaid.

SECTION 2. That for the purpose of securing said sum borrowed as provided in section 1 of this act, the said board of education are hereby authorized and empowered to issue bonds to the amount of forty thousand dollars, to be signed by the president and attested by the clerk of said board, in denominations of five hundred dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually. Said bonds to be payable at such time or times not exceeding ten years, and at such place as said board may determine. Said bonds shall not be sold for less than their par value, and may, at the discretion of the said board, have interest coupons attached.

SECTION 3. Said board of education is hereby authorized and required to levy a tax, in addition to other taxes authorized by law, to be collected as other taxes are collected, on all the taxable property in the said school district, sufficient to pay said bonds and the interest thereon, as the same become due and payable.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
 120L

[House Bill No. 460.]

AN ACT

To authorize the council of the village of Port Clinton, in Ottawa county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Port Clinton, Ottawa county, Ohio, is hereby authorized and empowered to transfer the sum of one thousand dollars (\$1,000.00) from the police fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
 121L

[House Bill No. 479.]

AN ACT

To authorize the trustees of Tuscarawas township, Coshocton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Tuscarawas township, Coshocton county, Ohio, be and they are hereby authorized to transfer the sum of one thousand (\$1,000) dollars from the township fund to the road fund of said township.

SECTION 2. This act to take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
 122L

[House Bill No. 483.]

AN ACT

To authorize the board of education of the village school district of Versailles, Darke county, Ohio, to levy a tax sufficient to pay certain bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of Versailles, in

Wayne township, Darke county, Ohio, be and the same is hereby authorized and empowered to levy upon the taxable property in said school district, in addition to the taxes now authorized by law, a tax not exceeding in each year, five mills on the dollar for the purpose of paying off the principal and interest of the bonds of said school district issued and sold under an act passed April 14, 1882. Said tax shall be levied and collected as other taxes. And said board of education is authorized to levy and collect such tax each year only so long as may be necessary to pay said bonds and the interest thereon yet remaining unpaid.

SECTION 2. This act shall be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

123L

[House Bill No. 497.]

AN ACT

To authorize the board of education of the township district of Saint Clair township, Columbiana county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the township school district of St. Clair township, Columbiana county, Ohio, be and they are hereby authorized to transfer the sum of three hundred (\$300) dollars from the school house building fund to the contingent fund of said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

124L

[House Bill No. 513.]

AN ACT

To authorize the trustees of Blanchard township, Hancock county, Ohio, to levy a tax to construct, gravel or macadamize roads, pikes and highways in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Blanchard township, in Hancock county, in the state aforesaid, be and they are hereby authorized and empowered to assess and levy upon all the taxable property of said township, for five successive years, a tax not exceeding three mills upon the dollar of the valuation of all said taxable property in any one year, in addition to the amount of taxes which now is or hereafter may be authorized by law, for the purpose of constructing, graveling, macadamizing and piking roads and highways in said township, and for no other purpose whatever.

SECTION 2. The question of levying said tax and of constructing said roads, pikes and highways, shall be submitted to a vote of the qualified electors of said township at the regular spring election on the first Monday of April, 1890; the tickets voted at said election shall have written or printed thereon the words, "Taxation for road improvements—Yes;" or, "Taxation for road improvements—No;" and a majority vote in favor of such taxation shall authorize the levying of said tax and constructing, graveling, macadamizing and piking of said roads and highways.

SECTION 3. Said tax hereby authorized shall be placed upon the grand duplicate of the county auditor of Hancock county aforesaid, and shall be collected as other taxes upon said tax duplicate are collected, and shall be paid in money, and shall be a township road fund in said township, under the direction, control and application of the trustees of said township, and shall be by them applied toward constructing gravel, macadamized or piked roads and highways in said township, or both gravel and macadamized roads or pikes and highways, as may be adjudged best by said trustees; provided, that no assessment or levy for said purpose shall be made under the provisions of this act after the year eighteen hundred and ninety-four, and the first assessment or levy for said purposes may be made under the provisions of this act in the year eighteen hundred and ninety (1890).

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

125L

[House Bill No. 514.]

AN ACT

To authorize the trustees of Pleasant township, Hancock county, Ohio, to levy a tax to construct, gravel or macadamize roads, pikes and highways in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Pleasant township, in Hancock county, in the state aforesaid, be and they are hereby authorized and empowered to assess and levy upon all the taxable property of said township, for five successive years, a tax not exceeding three mills upon the dollar of the valuation of all said taxable property in any one year, in addition to the amount of taxes which now is or hereafter may be authorized by law, for the purpose of constructing, graveling, macadamizing and piking roads and highways in said township, and for no other purpose whatever.

SECTION 2. The question of levying said tax and of constructing said roads, pikes and highways, shall be submitted to a vote of the qualified electors of said township at the regular spring election on the first Monday of April, 1890; the tickets voted at said election shall have written or printed thereon the words, "Taxation for road improvements—Yes;" or, "Taxation for road improvements—No;" and a majority vote in favor of such taxation shall authorize the levying of said tax and constructing, graveling, macadamizing and piking of said roads and highways.

SECTION 3. Said tax hereby authorized shall be placed upon the grand duplicate of the county auditor of Hancock county aforesaid, and shall be collected as other taxes upon said tax duplicate are collected, and shall be paid in money, and shall be a township road fund in said township, under the direction, control and application of the trustees of said township, and shall be by them applied toward constructing gravel, macadamized or piked roads and highways in said township, or both gravel and macadamized roads or pikes and highways, as may be adjudged best by said trustees; provided, that no assessment or levy for said purpose shall be made under the provisions of this act after the year eighteen hundred and ninety-four, and the first assessment or levy for said purposes may be made under the provisions of this act in the year 1890.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

126L

[House Bill No. 515.]

AN ACT

To authorize the trustees of Liberty township, Hancock county, Ohio, to levy a tax to construct, gravel or macadamize roads, pikes and highways in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Liberty township, in Hancock county, in the state aforesaid, be and they are hereby authorized and empowered to assess and levy upon all the taxable property of said township, for five successive years, a tax not exceeding three mills upon the dollar of the valuation of all said taxable property in any one year, in addition to the amount of taxes which now is or hereafter may be authorized by law, for the purpose of constructing, graveling, macadamizing and piking roads and highways in said township, and for no other purpose.

SECTION 2. The question of levying said tax and constructing said roads, pikes and highways, shall be submitted to a vote of the qualified voters of said township at the regular spring election on the first Monday of April, 1890. The tickets voted at said election shall have written or printed thereon the words, "Taxation for road improvements—Yes;" or, "Taxation for road improvements—No;" and a majority vote in favor of such taxation shall authorize the levying of said tax and constructing, graveling, macadamizing and piking of said roads and highways.

SECTION 3. Said tax hereby authorized shall be placed upon the grand duplicate of the county auditor of Hancock county aforesaid, and shall be collected as other taxes upon said tax duplicate are collected, and shall be paid in money, and shall be a township road fund in said township, under the direction, control and application of the trustees of said township, and shall be by them applied toward constructing gravel, macadamized or piked roads and highways in said township, or both gravel and macadamized roads or pikes and highways, as may be adjudged best by said trustees; provided, that no assessment or levy for said purpose shall be made under the provisions of this act after the year eighteen hundred

and ninety-four, and the first assessment or levy for said purposes may be made under the provisions of this act in the year eighteen hundred and ninety (1890).

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

127L

[House Bill No. 517.]

AN ACT

To repeal "an act to divide Pleasant township, Hancock county, into two election precincts," passed March 19, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections one (1), two (2) and three (3) of the act entitled "an act to divide Pleasant township, Hancock county, into two election precincts," which passed and took effect March 19, 1889, published on page 515 of the volume of laws of the state of Ohio for the year 1889, and being house bill No. 1175, be and the same are hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

128L

[House Bill No. 530.]

AN ACT

To authorize the board of trustees of Blanchard township, Putnam county, Ohio, to issue the bonds of said township for the purposes of heating and lighting the public buildings of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of trustees of Blanchard township, Putnam county, Ohio, be, and they are hereby authorized to issue the bonds of said township in a sum not exceeding five thousand dollars bearing interest at a rate not exceeding six per cent. per annum payable semi-annually in denominations of not less than five hundred dollars nor more than one thousand dollars each for the purpose of providing for the heating and lighting of the public buildings of said township as may by them be determined.

SECTION 2. Said bonds shall be signed by the president of the board of trustees, and countersigned by the clerk of said township; said bonds shall not be sold for less than their par value and accrued interest; the principal shall be payable at such times as the trustees may by resolution determine within a period not exceeding ten years; and said trustees of said township are hereby authorized to levy a tax upon all the taxable

property of said township to pay said bonds and interest, not exceeding four mills on the dollar in any one year in addition to that now authorized by law.

SECTION 3. The funds realized from the sale of said bonds, shall be used by the board of trustees of said township for the purposes of providing heat and light to the several public buildings of said township either by purchasing such apparatus as may be necessary or in prospecting, boring and supplying said public buildings with natural gas for light or fuel or both as the board of trustees may determine.

SECTION 4. Before said trustees shall issue said bonds and within 60 days after the passage of this act, the question of the issue of said bonds and levying said tax as herein provided shall be submitted to a vote of the qualified electors of said township at a regular or special election to be held therein, of which at least ten days' notice by publication in some newspaper of general circulation in said township or by posting written or printed notices thereof in at least ten of the most public places in said township, shall be given; the tickets to be voted at said election shall have written or printed thereon the words "Heat and light bonds—Yes," or "Heat and light bonds—No," and a majority of all the votes cast at said election shall decide the question.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.
129L

[House Bill No. 527.]

AN ACT

To authorize the trustees of Union township, Miami county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Union township, Miami county, Ohio, be and are hereby authorized to transfer one thousand dollars from the bridge fund to the township fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.
130L

[House Bill No. 538.]

AN ACT

To authorize the township trustees of Pleasant township, Perry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Pleasant township, Perry county, are hereby

authorized to transfer the sum of two hundred and fifty dollars from the poor fund to the general township fund.

SECTION 2. This act shall take effect and be in force on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
131L

[House Bill No. 547.]

AN ACT

To authorize the village of North Amherst, Lorain county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of North Amherst, Lorain county, Ohio, be and the same is hereby authorized and empowered to transfer from the general revenue fund of said village the sum of (\$600) six hundred dollars to other funds of said village, as follows: To the fire and reservoir fund (\$150) one hundred and fifty dollars; to the town hall fund (\$450) four hundred and fifty dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
132L

[House Bill No. 552.]

AN ACT

To authorize the commissioners of Perry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Perry county, Ohio, are hereby authorized to transfer the following sum of money: \$1,000 from the sheep fund to the poor fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
133L

[House Bill No. 553.]

AN ACT

To authorize the council of the incorporated village of Collinwood, Cuyahoga county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Collinwood, Cuyahoga county, Ohio, be and is hereby authorized and empowered to transfer the sum of seven hundred and fifty dollars from the police fund of said village to the lighting fund.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.
134L

[House Bill No. 554.]

AN ACT

To authorize the commissioners of Vinton county, Ohio, to issue bonds to pay the indebtedness of said county.

WHEREAS, The county of Vinton, Ohio, is indebted in about the sum of twenty thousand dollars, upon outstanding orders drawn against the county fund of said county, and because of the insufficiency of the levy for said county fund to meet the current expenses of said county; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Vinton county, Ohio, be and they are hereby authorized to issue bonds of said county, in an amount not exceeding twenty thousand dollars, and bearing interest, not exceeding six per cent. per annum, payable semi-annually, the first installment of said interest to become due upon the first day of September, 1891, and the subsequent installments on the first day of each March and September thereafter; the bonds to be for the sum of five hundred dollars each, numbered consecutively from one to the final number thereof, and signed by the members of the board of commissioners and countersigned by the auditor of said county, and to have interest coupons attached, countersigned by said auditor; said bonds shall fall due in equal amounts annually, commencing with the first day of September, 1891, and ending on the first day of September, 1901, and shall not be sold for less than their par value, and at such place and time as the commissioners may determine, with or without notice as they may determine, and said auditor is hereby required to keep in a book prepared for that purpose a register of the number of each bond sold, the date of sale, and the name of the purchaser thereof, which book shall be subject to inspection at all times.

SECTION 2. That said commissioners, to meet said bonds and the accruing interest thereon, as they fall due, are hereby authorized, at their first regular or special meeting after the passage of this act, and at their regular March session thereafter, and until said bonds are fully redeemed, to make a levy of not exceeding one and one-half mills upon the taxable property of said county, and out of the proceeds of said levy, pay, first,

the interest due upon said bonds, second, any and all bonds due; and any residue remaining at the end of any fiscal year, they are hereby authorized to set apart as a sinking fund for the redemption of said bonds, or, if they deem it for the best interest of the county, to transfer the same to the county fund of said county.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
135L

[House Bill No. 571.]

AN ACT

To authorize the village council of the village of Rendville, Perry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Rendville, Perry county, Ohio, are hereby authorized to transfer the following sums of money: \$300 from the police fund and \$200 from the general fund to the sinking fund, and \$200 from the police fund to the street and alley fund.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
136L

[House Bill No. 572.]

AN ACT

To authorize the board of education of Shawnee school district, Perry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Shawnee school district, Perry county, Ohio, are hereby authorized to transfer the following sum of money: \$3,000 from the special fund to the building fund.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
137L

[House Bill No. 575.]

AN ACT

To authorize the commissioners of Athens county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Athens county, Ohio, be, and they are hereby authorized to transfer the sum of five thousand dollars (\$5,000.00) from the infirmity fund to the county fund.

SECTION 2. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
138L

[House Bill No. 593.]

AN ACT

To authorize the county commissioners of Morgan county, Ohio, to issue and dispose of the bonds of said county for completing and finishing the bridge across the Muskingum river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Morgan county, Ohio, be and they hereby are authorized to issue the bonds of said county to such amount not exceeding ten thousand (\$10,000) dollars as may be necessary to complete and finish the bridge across the Muskingum river at Stockport. Windsor township, in said county, the building of which bridge was authorized by an act of the general assembly of the state of Ohio, passed February 22, 1888, and amended April 3, 1888, entitled "an act to authorize the commissioners of Morgan county, Ohio, to build a bridge across the Muskingum river."

SECTION 2. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, interest payable semi-annually, and shall be issued in such sums as the commissioners may determine, but shall not be sold for less than their par value; said bonds to be paid within ten years of the date thereof at the discretion of the commissioners and the same shall be issued, signed and sold according to law.

SECTION 3. For the purpose of paying the bonds and the interest thereon, as the same become due and payable, the commissioners are hereby required to levy, annually, on all taxable property within the county, a sum sufficient to pay the same in addition to all other taxes authorized by law.

SECTION 4. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed March 21, 1890.
139L

[Senate Bill No. 90.]

AN ACT

To authorize the village of New Richmond to erect or purchase an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of New Richmond, Clermont county, Ohio, be and they are hereby authorized and empowered to erect or purchase an electric light plant for the purpose of lighting the corporation, and for that purpose said council is hereby authorized to purchase engines, boilers, dynamo, wire, poles, and the appurtenances thereto belonging and materials necessary for the successful operation of the same, at a total cost and sum not to exceed twelve thousand dollars.

SECTION 2. For such purpose said village council is authorized to issue the bonds of [said village], in a sum not exceeding the cost of said electric light plant, and in no event more than twelve thousand dollars (\$12,000.00), bearing interest at a rate not to exceed six per cent. per annum from date of issue, payable semi-annually. The principal of such bonds shall be payable at such times and places as the council may determine, within a period not exceeding twenty years, and shall be adjusted and sold according to law.

SECTION 3. Said council is authorized to levy a tax on all the taxable property of said village, in addition to what it is now authorized by law to levy, sufficient to meet the annual interest on said bonds and pay the principal thereof as the same falls due.

SECTION 4. Before issuing said bonds, levying said tax, and erecting and constructing said electric light plant, the question shall be submitted to a vote of the qualified electors of said village at a general or special election to be held within six months from the passage of this act, at the place of holding elections in said village, by giving ten days' notice thereof in some newspaper published in said village. The tickets to be voted at said election shall have written or printed thereon, "Electric light plant—Yes," or "Electric light plant—No." If a majority of the votes cast at said election are in favor of electric light plant and issuing of said bonds, then the council may proceed to issue said bonds and not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed March 21, 1890.

140L

[Senate Bill No. 103.]

AN ACT

To authorize the board of education of the Ottawa special school district, of Ottawa township, Putnam county, Ohio, to make annual levies for school purposes, exceeding the [limit] provided by general law.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Ottawa special school district of Ottawa township, Putnam county, Ohio, be and is hereby authorized to levy an-

nually, for the next two years, at the time provided by law, for school purposes, in addition to the sum now provided by law, a sum not exceeding the sum of three mills on each dollar of valuation of taxable property; the same to be certified to the auditor of the county of Putnam, and collected as provided by law for the collection of taxes for school purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
141L

[Senate Bill No. 157.]

AN ACT

To authorize the council of the city of Wooster, Ohio, to temporarily transfer money from the sewer fund to the general redemption and street funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the city of Wooster, Ohio, be and the same is hereby authorized to transfer, temporarily, two thousand dollars (\$2,000.00) from the sewer fund to the general redemption fund, and two hundred dollars (\$200.00) to the street fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
142L

[Senate Bill No. 168.]

AN ACT

To authorize the trustees of Gustavus township, Trumbull county, Ohio, to issue bonds and build a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of the township of Gustavus, Trumbull county, Ohio, be and are hereby authorized to issue the bonds of said township in any sum not exceeding three thousand dollars, bearing interest not exceeding six per cent. per annum, payable semi-annually, for the purpose of building a town hall for the use of said township, to be built under the direction of the trustees of said township and be under their control when completed. Said bonds shall be in such denominations as the judgment of said trustees shall deem best, and shall be payable in one, two, three, four and five years from their date, in equal portions, and they shall not be sold for less than their par value.

SECTION 2. For the purpose of paying said bonds and the interest as they become due, said trustees are hereby authorized to levy a tax on all

the taxable property of said township, in addition to that now authorized by law, and certify the same to the county auditor of said county.

SECTION 3. Before any bonds shall be issued or tax levied, notices shall be posted up in not less than three of the most public places in said township, for not less than twenty days next before any general or special election, submitting the question of building said town hall, and the estimated cost thereof, to a vote of the electors of said township, and if a majority of all the votes cast at such election shall be in favor of the building of said town hall, then the trustees may proceed to issue said bonds and build said town hall, but not otherwise.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
143L

[House Bill No. 349.]

AN ACT

For relief of Henry Laudy, treasurer of Catawba Island township, Ottawa county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Catawba Island township, Ottawa county, are hereby authorized to release Henry Laudy and his official securities on his official bonds, as treasurer of said township, from the payment of four hundred dollars (\$400.00), belonging to the school and township funds of said township, which sum of four hundred dollars was deposited for safety with one Philip Smith, and was lost by the failure of said Philip Smith, who is entirely insolvent; provided, that said Henry Laudy shall assign and transfer his claim against said Philip Smith to the trustees of said Catawba Island township for the use and purposes of said township, and provided further, that the said trustees shall submit said proposition to release to the qualified voters of said township, at a general or special election, and two-thirds of said electors voting at said election vote in favor of such release.

SECTION 2. It shall be the duty of the said trustees, before submitting said proposition at a special election, to give notice by advertisement, posted in three conspicuous places in said township, at least ten days preceding said election, stating the object thereof; but if submitted at any general election, no advertisement shall be required, and the form of the ballot shall be the following: "For release—Yes," "For release—No." The trustees shall provide a separate ballot-box for such ballot, and make due return of the result of said election to the auditor of said county.

SECTION 3. This act shall take effect from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
144L

[House Bill No. 408.]

AN ACT

To authorize the council of the incorporated village of New Philadelphia, Tuscarawas county, to issue bonds for the purpose of general improvement and benefit of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Philadelphia, Tuscarawas county, Ohio, be and are hereby authorized to borrow not to exceed forty thousand dollars (\$40,000.00), to be applied to the general improvement and benefit of said village.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the said council of the incorporated village of New Philadelphia, Ohio, is authorized to issue bonds, to be signed by the mayor and attested by the clerk of said village, in denominations of not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00) bearing interest at a rate not to exceed six per cent. per annum, payable annually; said bonds to be payable at such time or times, not exceeding twenty-five years from their respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission, and said bonds may, in the discretion of such council, have interest coupons attached, and said bonds and interest shall be payable at the village of New Philadelphia, Ohio.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village of New Philadelphia, Tuscarawas county, Ohio, a tax for such an amount annually, not exceeding two mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 4. The act to authorize the council of the incorporated village of New Philadelphia, Tuscarawas county, Ohio, to issue bonds for the general improvement and benefit of said village, before the same shall become a law shall first be submitted to a vote of the qualified electors of the incorporated village of New Philadelphia, and if said act be ratified and affirmed by three-fifths of all the votes for or against said act, at any general election held within the corporate limits of said village of New Philadelphia, or by a special election to be called by council to vote upon said act, and the propositions therein, and if the act be ratified as aforesaid, the same shall take effect and be in full force when ratified by said three-fifths vote of the electors aforesaid.

SECTION 5. This act shall take effect and be in full force on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
145L

[House Bill No. 482.]

AN ACT

To authorize the council of the city of Mount Vernon, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the city of Mount Vernon, Knox county, Ohio, be and the same is hereby authorized to transfer two hundred and seventy-one dollars and eight cents (\$271.08) from the condemnation fund to the general fund of said city.*

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

146L

[House Bill No. 525.]

AN ACT

To authorize the board of education of Wadsworth special school district, in Medina county, Ohio, to issue bonds for the purpose of providing said district school building with proper heating apparatus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of Wadsworth special school district, in Medina county, Ohio, be and the said board is hereby authorized and empowered to issue, from time to time, the bonds of said district for any sum, not exceeding in the aggregate, one thousand dollars, running for such length of time as may be deemed proper, not exceeding five years, and bearing a rate of interest not exceeding six per cent. per annum, for the purpose of providing said district school building with proper heating apparatus.*

SECTION 2. Said bonds shall be designated "heating apparatus bonds," and shall be signed by the president of said board and countersigned by the clerk of the same, and shall be sold under the direction of said board, at not less than par value.

SECTION 3. Before said board shall issue said bonds, the proposition shall be submitted to a vote of the qualified electors of said district, at the spring election to be held April 7, 1890, or at a special election called for that purpose, and in either case by giving notice thereof for ten days previous thereto by publication in two newspapers published in, or of general circulation in said district. The election shall be held at the usual place of holding elections in said district, and all the electors favoring said proposition shall have written or printed on their ballots, "Issue heating apparatus bonds—Yes;" and those opposed to said proposition shall have written or printed on their ballots, "Issue heating apparatus bonds—No;" and should a majority of the electors voting upon said propo-

[House Bill No. 408.]

AN ACT

To authorize the council of the incorporated village of New Philadelphia, Tuscarawas county, to issue bonds for the purpose of general improvement and benefit of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Philadelphia, Tuscarawas county, Ohio, be and are hereby authorized to borrow not to exceed forty thousand dollars (\$40,000.00), to be applied to the general improvement and benefit of said village.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the said council of the incorporated village of New Philadelphia, Ohio, is authorized to issue bonds, to be signed by the mayor and attested by the clerk of said village, in denominations of not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00) bearing interest at a rate not to exceed six per cent. per annum, payable annually: said bonds to be payable at such time or times, not exceeding twenty-five years from their respective dates thereof, as said council may determine. which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission, and said bonds may, in the discretion of such council, have interest coupons attached, and said bonds and interest shall be payable at the village of New Philadelphia, Ohio.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village of New Philadelphia, Tuscarawas county, Ohio, a tax for such an amount annually, not exceeding two mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 4. The act to authorize the council of the incorporated village of New Philadelphia, Tuscarawas county, Ohio, to issue bonds for the general improvement and benefit of said village, before the same shall become a law shall first be submitted to a vote of the qualified electors of the incorporated village of New Philadelphia, and if said act be ratified and affirmed by three-fifths of all the votes for or against said act, at any general election held within the corporate limits of said village of New Philadelphia, or by a special election to be called by council to vote upon said act, and the propositions therein, and if the act be ratified as aforesaid, the same shall take effect and be in full force when ratified by said three-fifths vote of the electors aforesaid.

SECTION 5. This act shall take effect and be in full force on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
145L

[House Bill No. 482.]

AN ACT

To authorize the council of the city of Mount Vernon, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the city of Mount Vernon, Knox county, Ohio, be and the same is hereby authorized to transfer two hundred and seventy-one dollars and eight cents (\$271.08) from the condemnation fund to the general fund of said city.*

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
146L

[House Bill No. 525.]

AN ACT

To authorize the board of education of Wadsworth special school district, in Medina county, Ohio, to issue bonds for the purpose of providing said district school building with proper heating apparatus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of Wadsworth special school district, in Medina county, Ohio, be and the said board is hereby authorized and empowered to issue, from time to time, the bonds of said district for any sum, not exceeding in the aggregate, one thousand dollars, running for such length of time as may be deemed proper, not exceeding five years, and bearing a rate of interest not exceeding six per cent. per annum, for the purpose of providing said district school building with proper heating apparatus.*

SECTION 2. Said bonds shall be designated "heating apparatus bonds," and shall be signed by the president of said board and countersigned by the clerk of the same, and shall be sold under the direction of said board, at not less than par value.

SECTION 3. Before said board shall issue said bonds, the proposition shall be submitted to a vote of the qualified electors of said district, at the spring election to be held April 7, 1890, or at a special election called for that purpose, and in either case by giving notice thereof for ten days previous thereto by publication in two newspapers published in, or of general circulation in said district. The election shall be held at the usual place of holding elections in said district, and all the electors favoring said proposition shall have written or printed on their ballots, "Issue heating apparatus bonds—Yes;" and those opposed to said proposition shall have written or printed on their ballots, "Issue heating apparatus bonds—No;" and should a majority of the electors voting upon said propo-

sition vote "Yes," then said board shall be authorized to issue said bonds, as provided in this act, and not otherwise.

SECTION 4. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

147L

[House Bill No. 518.]

AN ACT

To establish a separate road district in the incorporated village of Alexandria, Licking county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of St. Albans township, Licking county, Ohio, as lies within the limits and boundaries of the incorporated village of Alexandria, shall be and constitute a separate and independent road district; and the council of said village shall have the exclusive care, supervision and control of all public highways, streets, avenues, alleys, sidewalks, public grounds and bridges within the corporation.

SECTION 2. The council of said village shall have power to appoint, or provide for the election of suitable street commissioners, or other proper officers, for any length of time, not exceeding two years, for said district, who shall be governed in the performance of their duties by the by-laws and ordinances of the corporation.

SECTION 3. Nothing in this act contained shall be held to deprive the council of said village of any of the powers it may now have under statutes of Ohio, or to limit or interfere with the same.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

148L

[House Bill No. 544.]

AN ACT

To authorize the council of the incorporated village of Athens, Athens county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Athens, Athens county, Ohio, be and the same is hereby authorized to transfer the sum of two thousand dollars (\$2,000.00) from the general fund to the street or road fund.

SECTION 2. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.

149L

[House Bill No. 580.]

AN ACT

To authorize the council of the incorporated village of New Lebanon, Montgomery county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of New Lebanon, Montgomery county, Ohio, be and is hereby authorized to transfer sixty dollars from the prison fund to the street improvement fund; also forty dollars from the bridge fund to the street improvement fund of said village.*

SECTION 2. This act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
 150L

[House Bill No. 587.]

AN ACT

Authorizing the trustees of Thompson township, Geauga county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Thompson township, Geauga county, are hereby authorized to transfer one hundred and eighty dollars (\$180) from the vault fund in the treasury of said township to the township fund therein.*

SECTION 2. This act shall take effect from its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 24, 1890.
 151L

[House Bill No. 403.]

AN ACT

To divide Moorefield township, Clark county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That Moorefield township, in Clark county, Ohio, be divided into two election precincts; and shall be divided by the following line: Commencing at a point in the south line of said township at the south-east corner of section 25, township 4, range 10, M. R. S. running thence north along the east line of sections 25, 26, 27, 28, 29 in township and range aforesaid to a point in the north line of said township at the north-east corner of section 29.*

SECTION 2. That all that part of said township lying west of said dividing line shall be and is hereby constituted an election precinct, to be called the western precinct of said township, and elections therein shall be held at Kenton school house, or at such other place in said precinct as the trustees of said township shall designate.

SECTION 3. That all that part of said township lying east of said dividing line shall be known as the eastern precinct of said township and elections therein shall be held in the village of New Moorefield.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 25, 1890.

152L

[House Bill No. 470.]

AN ACT

To authorize the village council of the village of Van Wert, Ohio, to issue bonds to complete the system of water-works in course of construction in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the village of Van Wert, in Van Wert county, and state of Ohio, be and is hereby authorized and empowered to issue the bonds of said village in addition to the amount heretofore by law authorized to be issued in any sum necessary to complete said system of water-works in said village, but in no case exceeding twenty-five thousand dollars, bearing interest at a rate not exceeding five (5) per cent. per annum, payable semi-annually, and be of such denominations as the village council shall by ordinance prescribe, and said bonds shall be made payable within thirty years from the date of their issue, and shall not be sold for less than par in cash, the money arising from the sale of said bonds shall be used for the purpose of completing in such manner as may be found necessary, the system of water-works now in course of construction in and for said village, and for no other purpose or use whatsoever; the said bonds shall be signed by the mayor and countersigned by the clerk and under the seal of said village, and when said bonds are sold, the proceeds shall be paid to the treasurer of said village, who shall hold and disburse said proceeds as other village funds are by him held and disbursed.

SECTION 2. When such bonds of said village are issued as hereinbefore provided, it shall be the duty of the village council of such municipal corporation, annually thereafter, until the same and the interest thereon shall be fully paid, to assess and levy a tax on all the taxable property of said corporation sufficient to provide for the payment of the interest accruing upon the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they fall due.

SECTION 3. Before such bonds shall be issued or tax levied, the question of issuing said bonds and the levying a tax therefor, the same shall be submitted to a vote of the qualified electors of said village at a regular election to be held April 7th, eighteen hundred and ninety (1890). The tickets voted at said election shall have written or printed thereon, "Authority to issue bonds—Yes," or "Authority to issue bonds—No." If the proposition to issue bonds is approved by a majority of all the voters voting at said election, the council of said village shall have authority to issue said bonds and levy the said tax as provided for in this act.

SECTION 4. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.

153L

[House Bill No. 499.]

AN ACT

To divide Rockport township, Cuyahoga county, Ohio, into three separate voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* Rockport township, Cuyahoga county, Ohio, be and the same is hereby divided into three election precincts, as follows: That all of said township situate on the west side of Rocky river shall constitute a separate precinct to be known as precinct "A," with the voting place near the center of said precinct, as shall be provided for by the trustees of said township; that all of the hamlet of Lakewood situate in said township shall constitute a separate precinct to be known as precinct "B," with the voting place near the toll-gate as may be provided for by the trustees of said hamlet; that all of said township situate east of Rocky river and south of the south line of Lakewood hamlet shall constitute a separate precinct to be known as precinct "C," with the voting place at the town hall on Lorain street.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.

154L

[House Bill No. 519.]

AN ACT

To authorize the city of Newark to borrow money and issue bonds for the purpose of purchasing a hay market and a site for city prison.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the city council of the city of Newark, be and they are hereby authorized and empowered to issue the bonds of the city of Newark, in an amount not exceeding sixteen thousand dollars, for the following purposes, to-wit: For the purchase of suitable grounds for a hay market, and for the purpose of purchasing a site suitable for a city prison.

SECTION 2. Said bonds shall be of such denomination and payable at such times and bear interest at such rate, not exceeding six per cent. per annum, payable semi-annually, as the council of said city may direct, but said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and interest thereon, as the same may become due, the said council is hereby authorized to

levy a tax on all the taxable property of said city, in addition to that otherwise authorized by law, to such amount each year as shall be necessary to the payment of the principal and interest of such bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.
155L

[House Bill No. 531.]

AN ACT

To amend an act entitled "an act to divide Paris township into three election precincts," passed February 6, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* an act to divide Paris township, Stark county, Ohio, into three election precincts, passed February 6, 1890, be amended to read as follows:

SECTION 2. That sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16, shall be known as the Paris precinct of said township with place of holding election at the village of Paris, in said township; that section[s] 13, 22, 23, 24, 25, 26, 27, 33, 34, 35, and 36, shall be known as the Minerva precinct of said township, with place of holding election at Minerva, in said township; and that sections 17, 18, 19, 20, 21, 28, 29, 30, 31, and 32, shall be known as the Robertsville precinct of said township, with place of holding election at Robertsville, in said township.

SECTION 3. That said original act be and the same is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.
156L

[House Bill No. 539.]

AN ACT

To authorize the village of New Straitsville, Perry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the village of New Straitsville, Perry county, Ohio, are hereby authorized to transfer the following sums of money: \$500.00 from the police fund and \$100.00 from the fire fund to the road fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.
157L

[House Bill No. 542.]

AN ACT

To authorize the trustees of Newark township, Licking county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Newark township, Licking county, Ohio, be and they are hereby authorized and empowered to transfer the sum of two thousand dollars (\$2,000) from the bridge fund to the road fund of said township.*

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.
158L

[House Bill No. 576.]

AN ACT

To create a special road district of Pultney township, Belmont county, Ohio, and authorize the commissioners of said county to locate, grade and improve certain roads, and provide for the payment thereof by a local tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That Pultney township, in Belmont county, and the city of Bellaire, in said township, for the purpose only of constructing and maintaining the roads hereinafter provided for, shall constitute one road district, and the commissioners of Belmont county be and they are hereby authorized to locate, grade and improve, by paving or macadamizing, the following roads within said township and city, to-wit:*

First. Beginning on Noble street, in Bellaire, the streets, roads or survey of road, from thence northward to the township line at or near West Wheeling.

Second. Beginning on Noble street, in Bellaire, running thence past the north entrance to the Rose Hill cemetery and along or near the ridge road to the national road as far as the Pultney township line.

Third. Beginning at a paved street in Bellaire, thence up the valley of McMahon's creek to the Pultney township line.

Fourth. Beginning at a paved street in Bellaire, or at some point on the McMahon's creek road west of Bellaire, thence southwest by the best route in the direction of the Bellaire and Jacobsburg road to the Pultney township line.

Fifth. Beginning on south Belmont street, Bellaire, and thence along the Bellaire and Wegee pike to the Pultney township line.

SECTION 2. The commissioners of said county, within thirty days after the approval of this act by a majority of the qualified voters of Pultney township, voting at the election hereinafter provided for, may appoint viewers, who, together with the county surveyor or some competent engineer, appointed by the commissioners, shall proceed to locate said roads.

SECTION 3. As soon as practicable after the location of said lines of road, the commissioners of said county shall proceed to grade and pave

or macadamize the same; the grading shall not be less than 30 feet wide, where practicable, and the grade shall not exceed 5 degrees on either of said lines of road, and the pavement or macadamized road shall not be less than 16 feet wide.

SECTION 4. For the purpose of carrying into effect the provisions of this act, the said board of commissioners are hereby authorized to appoint a competent engineer or superintendent, who shall prepare plans and specifications for said improvements for the approval of the commissioners, and inspect the work and materials of said improvements, and the commissioners shall require said officer to give bond for the faithful performance of his duties, and in addition to the duty which may be set forth in his contract of employment, the commissioners may from time to time require such further duties of him as they may deem necessary to insure the proper superintendence of the construction and completion of said improvements, all of which cost or expense shall constitute a part of the cost of said road, to be paid for as hereinafter provided.

SECTION 5. The contract for said improvements shall be let after publication, as provided in other similar cases, either as a whole or in sections, as the commissioners may determine, and they may let the grading and stone work and paving or macadamizing separately on specific bids as to total cost for each class of work according to specifications, on each road or section thereof, but said work shall be let to the lowest and best bidder at a public letting, the notice of which shall give full information as to the manner in which bids are to be made and received. All contractors shall be required to give bond for the faithful performance of their contract, in such amount as the commissioners shall prescribe.

SECTION 6. The commissioners shall construct all necessary bridges and culverts for said improvements, and pay the cost thereof out of the bridge fund of said county of Belmont, and said commissioners are authorized to provide a fund for the same.

SECTION 7. To pay all costs and expenses of said improvements, which shall not in the aggregate exceed ninety thousand dollars, excluding the preliminary work of locating and the provisions of section 6 hereof, which latter are to be paid by the county at large, the commissioners are hereby authorized to issue and sell the bonds of the county, to be known as Pultney township road bonds, in such denominations as they may determine, not to exceed in the aggregate the sum of \$90,000.00, bearing interest not to exceed 5 per cent. per annum, payable semi-annually, the bonds to be made payable in not more than 25 years, and redeemable at the end of 15 years from the date of issue, at the office of the treasurer of said county; said bonds not to be sold for less than their par value; and for the purpose of paying the interest on said bonds and creating a sinking fund out of which to redeem or pay them at maturity, the commissioners are authorized to levy upon all the taxable property in said special district (Pultney township and Bellaire city), in addition to all other taxes now authorized, not exceeding $1\frac{1}{2}$ mills on the dollar valuation in any one year, unless a greater levy is needed to pay the said bonds, to the amount of \$90,000, and the accruing interest thereon within the time herein provided.

SECTION 8. When two miles or more of any of said lines of road is completed the commissioners shall establish a toll-gate, appoint a toll collector, fix a tariff of tolls and cause the same to be collected, and as the working of constructing such road progresses they may establish other

gates upon the same and provide for the collection of tolls thereat. After deducting the expenses of collecting the same all tolls shall be paid into the county treasury, to be placed to the credit of said road district, and shall be used first for the purpose of making necessary repairs of said roads, and the surplus, if any, shall be applied to the payment of the interest on said bonds.

SECTION 9. That in the manner of viewing, locating, appropriating of road-bed and doing all work not herein specifically provided for, the commissioners shall be governed by the provisions of chapter eight of title seven of the Revised Statutes.

SECTION 10. At the spring election in 1890, after 10 days' notice in at least two newspapers published in said township of Pultney and city of Bellaire, the question of construction of the roads herein provided for shall be submitted to the qualified voters in said township and city of Bellaire; those voting in favor of such road improvement shall have printed or written on their ballot, "For road improvement—Yes;" and those voting against shall have printed or written on their ballot, "For road improvement—No;" and if a majority voting on such proposition shall be in favor of such road improvement, the commissioners shall proceed as herein provided to construct or improve such roads.

SECTION 11. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.
 159L

[House Bill No. 597.]

AN ACT

To divide Napoleon township, Henry county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Napoleon township, Henry county, Ohio, be and the same is hereby divided into two election precincts, by a line commencing at the north boundary line of said township, between sections three (3) and four (4), and running thence in a southerly direction on the section line between sections three (3) and four (4), nine (9) and ten (10), fifteen (15) and sixteen (16), twenty-one (21) and twenty-two (22), twenty-seven (27) and twenty-eight (28), thirty-three (33) and thirty-four (34), in said township, to the south boundary line of said township. All that portion of said township lying east of said dividing line shall be known as Napoleon precinct, and all that lying west of said dividing line shall be known as Okolona precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed March 25, 1890.
 160L

[House Bill No. 533.]

AN ACT

To transfer certain school funds in Trumbull county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the auditor of Trumbull county, Ohio, is hereby authorized to transfer so much of the tax personal and real, charged on the tax duplicate of Trumbull county, to J. J. Winans of Mecca in said county, as is assessed for the year 1889, or shall be hereafter assessed for school purposes, to the township of Bristol in said county and state, for school purposes in said township; provided, however that said J. J. Winans be allowed to send his children that are of a school age, to any of the schools in said township of Bristol, Ohio.*

SECTION 2. This act shall be in force and effect on and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 26, 1890.

161L

[House Bill No. 401.]

AN ACT

To authorize the conveyance of a cemetery to Zion church trustees, of New Berlin, Stark county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That William Roush and John B. Roush, trustees, or their successors in office, be and they are hereby authorized and empowered to convey to Zion's cemetery association, of New Berlin, Ohio, the tract of land in Stark county, Ohio, on which is located the church building and the appurtenances thereunto, belonging to the Lutheran and Presbyterian Reformed congregation of said county, which tract of land was, on the 24th day of January, 1814, conveyed by Christian Palmer, Jacob Hersh, John Arnold, and their respective wives, of Stark county, Ohio, to Jacob Harter, trustee for the Lutheran congregation, and George A. Hantz, trustee for the Presbyterian congregation, of the county aforesaid, and their successors in office, for the use of said congregation, for the purpose of erecting thereon a house of worship, a school house and a burying ground, which tract of land is more fully described as follows: Beginning at the south-west corner of the north-west quarter of section No. 6, in 8th range, in the 11th township, thence east 16 perches on the line of said quarter section, thence north 8 perches to a post, thence west to a post on the range line 16 perches and south 8 perches to the beginning, containing 128 perches; also the following described tract in said county and state: Beginning for the same at the north-east corner of the south-east quarter of section No. 1, in the 9th range and 11th township, thence west 8 perches to a post and south 20 perches to a post, east 8 perches to the range line and north by the same to the beginning, containing 1 acre; also the following real estate, situated in said county and state: Beginning at the north-west corner of the south-west quarter of section No. 6, in the 8th range and 11th township, thence east 16 perches and south 12*

perches to a witch-hazel, and west 16 perches to range line, thence by the same to the beginning, containing 1 acre and 32 perches, excepting from the above described real estate the following described tract, situated in Plain and Jackson townships, and beginning for the same at a point on the west line of said second described tract, 106 feet south from the north-west corner thereof, thence at right angles to said line east 133 feet, thence south parallel to said west line 24 feet, thence east at right angles to said west line 36 feet to a stake, thence south and parallel with said west line 107 feet to a stake, thence west at right angles to said west line 71 feet and 6 inches, thence south parallel to said west line 31 feet, thence west to said west line and at right angles thereto 98 feet, thence north in a straight line about 162 feet to the place of beginning.

SECTION 2. Said trustees shall make said conveyance of the above described real estate to Zion's cemetery association, of New Berlin, Stark county, Ohio, in consideration of the undertaking on the part of said corporation to properly confer and protect the graves now thereon or hereafter to be placed thereon, and said conveyance shall be made upon the express condition that the premises so conveyed to Zion's cemetery association aforesaid shall be used by it for cemetery purposes only.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.

162L

[House Bill No. 598.]

AN ACT

To divide Marion township, Henry county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* Marion township, Henry county, Ohio, be and the same is hereby divided into two election precincts, by a line commencing at the east boundary line of said township, between sections thirteen (13) and twenty-four (24), and running thence west on the section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), eighteen (18) and nineteen (19), in said township, to the west boundary line of said township. All that portion of said township lying north of said dividing line shall be known as north precinct, and all that lying south of said dividing line shall be known as south precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed March 26, 1890.

163L

[House Bill No. 429.]

AN ACT

To authorize the council of the village of Cridersville, Auglaize county, Ohio, to issue the bonds of said village to erect a town hall, including prison and fire engine room.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Cridersville, Auglaize county, Ohio, be and the same hereby is authorized to issue the bonds of said village for an amount not exceeding two thousand dollars (\$2,000), for the purpose of building a town hall, including prison and fire engine room, in said village. Said bonds to bear interest at a rate not exceeding six (6) per cent., payable semi-annually, and redeemable at such times, not exceeding eight (8) years from date, as said council may, by ordinance prescribe.

SECTION 2. Said bonds, when so authorized, shall be issued by the council of said village, in denominations not less than \$100, nor more than \$500. They shall express on their face the purpose for which they shall be issued; shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their face value.

SECTION 3. No more of said bonds shall be sold than is necessary to erect said building and furnish the same. Said bonds may be sold from time to time, as the work progresses, and in such amounts as shall be required and made necessary for the completion of said building.

SECTION 4. For the purpose of carrying out all the provisions of this act, the council is hereby authorized and required to levy annually, at the time of making other levies, a tax upon all the taxable property of said village, an amount sufficient to pay said bonds with accrued interest, as they become due.

SECTION 5. This act shall take effect from and after its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 28, 1890.

167L

[House Bill No. 574.]

AN ACT

Authorizing the council of the village of Hubbard, Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Hubbard, Trumbull county, Ohio, be and it is hereby authorized and empowered to transfer one hundred and thirty dollars (\$130), from the general fund, and four hundred and seventy-five dollars (\$475) from the police fund, all to the street improvement fund of said village.

SECTION 2. This act shall take effect and be in force from its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 28, 1890.

168L

[House Bill No. 625.]

AN ACT

To authorize the board of education of the village school district of Patterson, Hardin county, to levy an additional tax to carry on the schools therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of the village of Patterson, Hardin county, Ohio, be and are hereby authorized to levy a tax for the years 1890, 1891, and 1892, on all the taxable property within said district, not exceeding three mills on the dollar for each year, in addition to the levy now authorized by law, the same to be collected as other taxes, for the purpose of supporting and continuing the schools in said district.

SECTION 2. It shall be the duty of said board of education to submit said proposition to levy said tax to the qualified electors of said district, at the coming spring election, ten (10) days' notice of which shall be legally given of the proposed submission of said proposition to levy said tax. The form of ballots at said election on said proposition shall be as follows: "For school tax—Yes;" "For school tax—No;" and if a majority of the qualified voters at said election shall vote in favor of said proposition, said board of education shall be authorized to make said levy for each of the years above mentioned, and not otherwise.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed March 28, 1890.
169L

[House Bill No. 627.]

AN ACT

To authorize the city of Xenia to issue and sell its bonds for the purpose of raising money wherewith to establish a hose-reel station in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Xenia, in Greene county, be and it is hereby authorized to issue the bonds of said city to an amount not to exceed fifteen hundred dollars and to sell the same for the purpose of raising money wherewith to establish, construct and equip a hose-reel station for fire protection, in the fourth ward of said city. Such bonds shall be of such denomination, and shall run such period to maturity, not exceeding fifteen years, as the council of said city may, by ordinance, provide; they shall be signed by the mayor and the clerk of said city, and shall be sold for not less than their par value with accrued interest, at public or private sale, as the council may, by ordinance, provide; they shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and may have interest coupons attached. The proceeds arising from such sale shall be paid into the treasury of said city, to the credit of a special fund to be created by the council of said city, and shall be used for no other purpose than the establishment, construction and equipment of a hose-reel station at such point in the fourth ward of said city as the council thereof may designate by resolution or ordinance.

SECTION 2. The council of said city may provide for the redemption of such bonds and the interest thereon by general taxation, but the limit of taxation provided by law shall not be thereby increased.

SECTION 3. This act shall take effect upon its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed March 28, 1890.

170L

[House Bill No. 452.]

AN ACT

To authorize the county commissioners of Franklin county to levy a tax for the purpose of grading and graveling the roadway leading from the village of New Albany, in said county, to Maple Wood cemetery.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Franklin county be, and they are hereby authorized and empowered to levy a tax for the purpose of grading and graveling the roadway of the New Albany and Reynoldsburg road, leading from the village of New Albany, in said county, to Maple Wood cemetery; said tax not to exceed 1-40 of one mill on the taxable property of said county.

SECTION 2. This act shall take effect from its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.

171L

[House Bill No. 492.]

AN ACT

To divide Newport township, in Washington county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Newport, in the county of Washington, and state of Ohio, be and the same is hereby divided into two election precincts: All that part of said Newport township, Washington county, Ohio, being east of the east line of sections 15, 16, 17 and 18, shall constitute precinct number 1 of said township, and the voting place of said precinct shall be at Newport, Newport township, Washington county, Ohio.

SECTION 2. All that part of said Newport township, Washington county, Ohio, not included in the aforesaid boundary, and being west of the east line of said sections 15, 16, 17 and 18 of said Newport township, Washington county, Ohio, shall constitute precinct number 2 of said township, and the voting place of said precinct shall be at such place therein as the township trustees of Newport township, Washington county, Ohio, may designate.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
 172L

[House Bill No. 503.]

AN ACT

To authorize the board of education of the city of Washington, Fayette county, Ohio, to extend the time for the payment of its bonded indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of the city of Washington, Fayette county, Ohio, be and is hereby authorized, in the year 1890, to issue the bonds not exceeding in the aggregate the sum of nine thousand dollars (\$9,000), and bearing interest at a rate not greater than six per cent. per annum, payable annually, or semi-annually, at the option of said board, and not extending beyond a period of fifteen years, for the purpose of redeeming and paying the present outstanding bonds of said board, and for no other purpose whatever.

SECTION 2. Said bonds shall be signed by the president, and attested by the clerk of said board, and shall not be sold for less than their par value.

SECTION 3. The said board may levy annually not to exceed one-half of one mill on the dollar, on all the taxable property of said city, in addition to all other levies authorized by law, to pay the principal and interest of said bonds, as the same shall become due.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
 * *Speaker of the House of Representatives.*
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
 173L

[House Bill No. 520.]

AN ACT

To authorize the city of Newark to borrow money and issue bonds for sewerage purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the city council of the city of Newark, be and they are hereby authorized and empowered to issue the bonds of the city of Newark, in an amount not exceeding twenty-nine thousand dollars, for the purpose of paying the cost and expense of constructing a main trunk sewer, East Newark system No. 3, according to plans, specifications and profiles on file in the city civil engineer's office; and for the purpose of completing sewer system No. 2.

SECTION 2. Said bonds shall be of such denomination and payable

at such times and bear interest at such rate, not exceeding six per cent. per annum, payable semi-annually, as the council of said city may direct; but said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and interest thereon, as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said city in addition to that otherwise authorized by law, to such an amount each year[s] as shall be necessary to the payment of the principal and interest of such bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
174L

[House Bill No. 595.]

AN ACT

To authorize the county commissioners of Hardin county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hardin county, Ohio, be and are hereby authorized to transfer permanently, from the pike fund of said county, to the pike repair fund of said county, the sum of fifteen thousand dollars, and the sum of five thousand dollars, from the bridge fund of said county, to the pike repair fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
175L

[House Bill No. 602.]

AN ACT

To authorize the trustees of Danbury township, Ottawa county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Danbury township, Ottawa county, Ohio, be and are hereby authorized to transfer any sum, not exceeding in total nine hundred dollars (\$900.00) from the township fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
176L

[House Bill No. 604.]

AN ACT

To divide Mifflin township, Franklin county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Mifflin, Franklin county, Ohio, be divided into two election precincts, by a line running north and south parallel with the east and west lines of said township and midway between the same. All that part of said township lying east of said line and composing the north-east quarter and the south-east quarter of said township No. 1, range 17, U. S. M. L., shall be known as the east precinct, and all of that part lying west of said line and composing the N.-west quarter and the south-west quarter, shall be known as the west precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.

177L

[House Bill No. 616.]

AN ACT

To authorize the board of education of Bedford village, Cuyahoga county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Bedford, Cuyahoga county, Ohio, be and they are hereby authorized to transfer two thousand two hundred and twenty-four dollars and seventy-one cents (\$2,224.71) from the bond and interest (or building fund) to the contingent fund of said board.

SECTION 2. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.

178L

[House Bill No. 619.]

AN ACT

To authorize the village of Elyria, in Lorain county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Elyria in the county of Lorain be and is hereby authorized to transfer to the fire and water fund in the treasury of said village the following amounts from the other funds in said treasury, to-wit: From the general fund five hundred dollars, from the salary fund five hundred

dollars, from the police fund five hundred dollars. Such transfers shall be made by resolution of the council of said village adopted at any regular meeting.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
179L

[House Bill No. 622.]

AN ACT

To authorize the city council of the city of Mansfield, Ohio, to issue bonds for water-works purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Mansfield, Ohio, is hereby authorized to issue the bonds of said city in a sum not to exceed fifty thousand dollars (\$50,000) and in denominations not exceeding five hundred dollars (\$500) at a rate of interest not exceeding six per cent. per annum, payable semi-annually, and redeemable from one to twenty years from the date thereof, for the purpose of extending the water-works of said city by laying additional water-mains and other necessary equipments for the purpose of supplying said city with water for domestic use. That said bonds shall not be sold for less than par in cash, and the proceeds thereof shall be applied under the direction of the board of trustees of said water-works to the extension aforesaid, and the whole cost thereof shall not exceed said sum of fifty thousand dollars (\$50,000).

SECTION 2. That for the purpose of paying said bonds and the interest thereon at maturity, the city council of said city is hereby authorized to levy a tax upon all the taxable property, both real and personal, of said city, in addition to the amount otherwise allowed by law, to be collected as other taxes, and the money so collected shall be used for the paying of said bonds and the interest thereon, and shall not be used for any other purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
180L

[House Bill No. 632.]

AN ACT

To authorize the village of Milan, Erie county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That

the council of the village of Milan, Erie county, Ohio, be and is hereby authorized to transfer one thousand dollars from the police fund, and one hundred and fifty dollars from the park fund, to the fire department fund, also five hundred dollars from the light fund to the general corporation fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
181L

[House Bill No. 647.]

AN ACT

To authorize the council of the incorporated village of Miamisburg, Montgomery county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Miamisburg, Montgomery county, be and is hereby authorized to transfer two hundred and sixty dollars from the sewer fund, two hundred dollars from the park fund, three hundred dollars from the fire fund, three hundred and fifty dollars from the general expense fund, and three hundred and fifty dollars from the police fund, all to the street light fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
182L

[House Bill No. 648.]

AN ACT

To authorize the council of the village of Genoa, Ottawa county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Genoa, Ottawa county, Ohio, be and hereby is authorized to transfer any sum, not exceeding seven hundred dollars (\$700.00), from the police fund, to the town hall fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
183L

[House Bill No. 649.]

AN ACT

To authorize the council of the village of Put-in-Bay, Ottawa county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Put-in-Bay, Ottawa county, Ohio, be and hereby is authorized to transfer the sum of sixty-nine dollars (\$69.00) from the fire engine fund, the sum of three hundred dollars (\$300.00) from marshal and police fund, the sum of ninety-six dollars (\$96.00) from bridge and embankment fund, and the sum of two hundred and sixty dollars (\$260.00) from prison fund to the town hall fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
184L

[House Bill No. 651.]

AN ACT

To authorize the commissioners of Pike county to levy a tax for general county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pike county, Ohio, be and are hereby authorized in the years of 1890, 1891, and 1892, and 1893, to levy a tax on all the taxable property of said county for general county purposes, an amount not exceeding five-tenths (5-10) of one mill each year, in addition to the amount now authorized to be levied for said purposes, the same to be entered upon the grand duplicate of said county, and collected in the same manner as other taxes are collected, provided that during said years, the levies made by said board of commissioners shall not in the aggregate exceed the amounts now fixed by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
185L

[House Bill No. 664.]

AN ACT

To divide Leesburg township, Union county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Leesburg, in the county of Union, state of Ohio, be and the same is hereby divided into two election precincts, the division to be

defined by the following lines: Commencing at the northeast corner of Leesburg township in the Delaware county line; thence west with the line of Claibourne township to the west line of survey No. 6211; thence south with said survey line to the northwest corner of survey No. 5586; thence south with said survey line to the northwest corner of survey No. 3694; thence east with the north line of said survey to the west line of J. P. Clevenger's land; thence with said Clevenger's west line, crossing Bokes creek, to the Grassy Run gravel road; thence south with said road to the north line of survey No. 5870; thence west to the northwest corner of said survey; thence south with said survey's west line to the north line of Dover township; thence east with the said Dover township line to the Delaware county line; thence north with the Delaware county line to the place of beginning.

SECTION 2. All the territory of said township lying east of the line aforesaid shall be called the east precinct, with the voting place at the village of Magnetic Springs; and all the territory lying west of said line shall be called the west precinct, with the voting place at the village of Pharisburg.

SECTION 3. This act shall be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.
186L

[House Bill No. 667.]

AN ACT

To authorize the council of the incorporated village of Woodstock, Champaign county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Woodstock, Champaign county, be and is hereby authorized to transfer the sum of one hundred and seventy-three (\$173) dollars from the police fund to the street repair fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.
187L

[House Bill No. 707.]

AN ACT

To increase the levy for township and road purposes in Coal township, Jackson county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Coal township in Jackson county, be and are

hereby authorized to levy a tax for the year 1890, not exceeding one mill on the dollar, on all the taxable property in said township, in addition to the levy now authorized by law for township and road purposes in said township, said tax to be levied and collected in the same manner as taxes for township and road purposes are levied and collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
188L

[House Bill No. 734.]

AN ACT

To authorize the board of education of the city of Piqua, Miami county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education in the city of Piqua, Miami county, Ohio, be and they are hereby authorized to borrow any sum of money, not exceeding twenty thousand dollars, for the purpose of purchasing ground, and erecting primary school buildings in said city of Piqua.

SECTION 2. That for the purpose aforesaid, the said board are hereby authorized to issue bonds, not exceeding twenty thousand dollars in amount, to be signed by the president, and attested by the clerk of the board, in sums of not more than one thousand dollars, nor less than one hundred dollars, bearing interest at the rate of six per cent. per annum, payable semi-annually, said bonds to be payable at such time, or times, not exceeding twenty years from the respective dates thereof, as said board may determine; said bonds shall not be sold for less than their par value, and said board may, at their discretion, have coupons attached.

SECTION 3. Said board shall, annually thereafter, cause the necessary taxes to be levied, to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for levying and collecting taxes.

SECTION 4. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
189L

[Senate Bill No. 169.]

AN ACT

To authorize the council of the village of Canal Fulton to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Canal Fulton, Stark county, be

and is hereby authorized to transfer permanently from the corporation fund to the street fund the sum of (\$550.00) five hundred and fifty dollars; from the corporation fund to the light and water fund the sum of (\$50.00) fifty dollars, and from the marshal fund to the fire fund (\$100.00) one hundred dollars.

SECTION 2. This act shall take effect and be in full force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
190L

[Senate Bill No. 186.]

AN ACT

To authorize the council of the village of Adelphi, Ross county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Adelphi, Ross county, be and they are hereby authorized, to transfer the sum of one hundred dollars from the marshal and police fund to the general fund of said village.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
191L

[Senate Bill No. 209.]

AN ACT

To authorize the council of the city of Salem, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Salem, Ohio, be and it is hereby authorized to transfer from the marshal and police fund to the general purpose fund the sum of two thousand two hundred dollars (\$2,200.00), from the bridge fund to the street and sanitary fund the sum of seven hundred and fifty dollars (\$750.00), from the fire department fund to the real estate fund the sum of five hundred dollars (\$500.00), and from the marshal and police fund to the real estate fund the sum of two hundred dollars (\$200.00).

SECTION 2. This act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
192L

[House Bill No. 459.]

AN ACT

For the relief of James King, late treasurer of Madison township, Muskingum county, Ohio.

WHEREAS, James King was at the April election, 1884, duly elected township treasurer of the township of Madison, Muskingum county, Ohio; and

WHEREAS, As such treasurer, he deposited certain of the funds of said township with the banking firm of L. J. Lemert and Sons, Dresden, Ohio; and

WHEREAS, Said firm of L. J. Lemert and Sons became insolvent and there was realized from said firm only a part of said funds; and

WHEREAS, There remains unpaid of said fund so deposited and uncollectible from said firm, the sum of two hundred and twenty-seven dollars and twenty-five cents, for which said James King and the sureties on his official bond are liable; and

WHEREAS, A large number of the qualified electors of said township have petitioned this general assembly for the relief of said King and his sureties; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Madison township, Muskingum county, Ohio, be and they are hereby authorized and empowered to submit to the qualified electors of said township, at any regular April election held after the passage of this act, ten days' notice of which shall be given before the day of said election, by written or printed posters in at least five public places in said township, the question of releasing the said James King, late treasurer of Madison township, Muskingum county, Ohio, and the sureties on his official bond, from the payment of two hundred and twenty-seven dollars and twenty-five cents, the amount by said King deposited with the banking-house of L. J. Lemert and Sons, and which remains unpaid and uncollectible because of the insolvency of said firm.

SECTION 2. That the voters of said township desiring to vote for such relief shall have written or printed on their ballots the words: "For relief of James King—Yes;" and those desiring to vote against such relief shall have written or printed upon their ballots the words: "For the relief of James King—No."

SECTION 3. That if a majority of all the votes cast at said election shall be in favor of said release, then said trustees and the board of education of said township shall, by suitable resolution, release said James King and the sureties on his official bond from the payment of the sum of money so deposited and unpaid as aforesaid.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
193L

AN ACT

To authorize the purchase of the fair grounds formerly owned by the Pickaway county fair company, and to hold and lease the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Pickaway county, when petitioned to do so by not less than thirty freeholders, citizens of the county, shall, and they are hereby authorized to purchase the grounds situated in Circleville city, and in Circleville township, containing 64 acres, improved by and known as the grounds of "the Pickaway fair company." Provided, that before such purchase is made, the commissioners of the county shall make an order submitting the purchase of said grounds to the electors of said county, at any spring or fall election, giving at least ten days' notice thereof in at least two newspapers published in said county; and at such election the voters who are in favor of such purchase shall inscribe on their ballots, "Purchase the fair grounds—Yes;" and those opposed thereto shall inscribe on their ballots, "Purchase the fair grounds—No." And if a majority of those voting at such election shall vote in favor of purchasing said grounds then the commissioners may make such purchase. The vote on said question shall be returned by the judges of the election to the clerk of the court of common pleas, who shall open, count and declare the same, as in an election for county officers, and certify the same to the county commissioners.

SECTION 2. In case the vote so taken shall result in favor of the purchase, three disinterested appraisers of the grounds proposed to be purchased, shall be appointed as follows: One by said commissioners, one by the probate judge of said county, and the other by the court of common pleas of said county or a judge of said court, resident of the subdivision in which said county is situate; and said appraisers, after being first duly sworn, faithfully and honestly to discharge their duties in that behalf, shall personally inspect said grounds and make and return to said commissioners a valuation of said grounds in writing.

SECTION 3. If the report of said appraisers is satisfactory to the commissioners and the probate judge of said county, and they, or a majority of them indorse their approval thereon, the commissioners shall submit to the owners of said grounds a proposition for the purchase thereof, at a price not exceeding \$13,000, and if said proposition is accepted by the owners of said grounds, the said commissioners shall thereupon purchase the same and take conveyance thereof from the owners of said grounds, and pay said owners in money, or in bonds to be issued as hereinafter specified.

SECTION 4. For the purpose of paying for said grounds, said commissioners may issue bonds, payable at such times and in such amounts as will be, as near as practicable, equal to the semi-annual collection of taxes levied for that purpose, which bonds shall bear interest not exceeding six per cent. per annum, payable semi-annually, which bonds may be delivered to the owners of said grounds in payment for the same, or sold for money, at not less than their par value; but none of said bonds shall run more than six years from date. And for the payment of said bonds, said commissioners are authorized to levy annually, on the taxable property of said county, in addition to the taxes they are otherwise au-

thorized to levy, such sum annually as will fully pay said bonds and the interest thereon, not exceeding $\frac{1}{16}$ of a mill.

SECTION 5. The said appraisers shall be paid by the county, upon the allowance of the county commissioners, \$1.00 per day each.

SECTION 6. The county commissioners of said county are hereby authorized and empowered to lease said grounds to any agricultural society in Pickaway county, for such time, not exceeding ten years, and on such terms as they may deem proper; but said county shall not be responsible for any debt or deficiency created by the agricultural society to whom said fair grounds may be leased.

SECTION 7. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.
194L

[House Bill No. 674.]

AN ACT

To change the name of Anna R. Daily, of Knox county, Ohio, to Anna R. Morton.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Anna R. Daily, a resident of Knox county, Ohio, be and the same is hereby changed to Anna R. Morton.

SECTION 2. That said change shall in no way affect the rights, privileges and liabilities of said person.

SECTION 3. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 1, 1890.
195L

[House Bill No. 603.]

AN ACT

To amend section 1 and repeal section 2 of an act passed March 19th, 1889 (Ohio laws, 85, p. 517), "authorizing the board of education of Clarington village district, Monroe county, Ohio, to make an additional levy for the years 1889, 1890 and 1891, for an addition to the school building of said village district and for repairing the same."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "an act to authorize the board of education of Clarington village district, Monroe county, Ohio, to make an additional levy for the years 1889, 1890 and 1891, for an addition to the school building of said village district and for repairing the same," passed March 19th, 1889, be so amended as to read as follows:

Sec. 1. That the board of education of Clarington village district be and they are hereby authorized to levy a tax for the years 1890 and 1891, not exceeding five mills annually, on all the taxable property in said school district, in addition to the levy now authorized by law, for the purpose of building an addition to said school building and for furnishing and repairing said school building in said Clarington village district; provided, however, that said board of education shall first submit the proposition to make such additional tax levy to the qualified voters of said district, at a general or special election, after giving at least ten days' notice thereof by posting in five public places in said district written or printed notices. Those voting in favor of said tax shall have written or printed on their ballots, "School-house tax—Yes;" and those opposed, "School-house tax—No." If a majority of the votes cast at said election shall be found in favor of said tax, then said additional levies may be made and collected in the same manner as taxes for common school funds are levied and collected.

SECTION 2. That said original sections 1 and 2 be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
196L

[House Bill No. 697.]

AN ACT

To change the name of Mary Schriber to Mary Decker.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Mary Schriber of Columbus, Franklin county, be and the same is hereby changed to Mary Decker.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 1, 1890.
197L

[House Bill No. 472.]

AN ACT

For the relief of William G. Halpin.

WHEREAS, Soon after the burning of the Hamilton county court house, in March, 1884, including the maps and tax duplicates of the county auditor's office, a bill was passed by the general assembly, creating a fund of \$65,000 to enable the auditor to have maps made to replace those destroyed by that fire; and

WHEREAS, William G. Halpin was employed to make some of said maps, under the instructions of said auditor, which maps were made by

the said Halpin, returned, accepted, and have been in use by the county since; and

WHEREAS, The fund was exhausted before payment was made to said Halpin; he was advised to bring suit by the county commissioners, which he did, and the trial judge being in doubt as to the construction of the act, decided against the plaintiff on a technicality; and

WHEREAS, The general assembly passed a supplementary act on the sixth of April, 1888, entitled "an act to enable the auditor of Hamilton county to complete the plats and tax duplicate of said county." This supplementary act created a fund of \$40,000, of which there remains a surplus of about \$15,000; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the auditor of Hamilton county is hereby authorized to draw his warrant on the treasurer of said Hamilton county, for the sum of four hundred and two dollars (\$402.00) in favor of the aforesaid William G. Halpin in payment in full of his said claim against the county. The same to be paid out of said fund created by said act passed on the sixth day of April, 1888.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 2, 1890.
198L

[House Bill No. 594.]

AN ACT

To authorize the council of the incorporated village of Cuyahoga Falls, situate in Summit county, Ohio, to issue bonds and to levy a tax for the purpose of providing a system of public water-works for said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the incorporated village of Cuyahoga Falls, Summit county, Ohio, be and the same is hereby authorized to issue the bonds of said village in an aggregate sum not exceeding fifteen thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, from their date, said interest payable semi-annually, for the purpose of providing said village with a system of public water-works.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk thereof, and shall not be sold for less than their par value, and shall be issued at such times and in such amounts, and mature at such dates respectively, as said council shall determine by ordinance, and said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and the interest thereon when the same become due.

SECTION 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of purchasing the necessary grounds and constructing, paying for, and maintaining water-works for said village, which water-works, when completed, shall be used,

operated and controlled in such manner as may be prescribed by law and the ordinances of said village enacted in conformity therewith.

SECTION 4. Before such bonds shall be issued, the question of issuing the same, and the levying a tax for the payment thereof, shall be submitted to a vote of the qualified electors of said village at a regular or special election called for that purpose, as the council of said village may order; notice of such election shall be given by public notice posted up at five of the most public places in said village at least five days before the day of said election. The tickets voted at said election in favor of issuing said bonds shall have written or printed thereon "Authority to issue water-works bonds—Yes," and all voters desiring to vote against issuing said bonds, shall have written or printed on their tickets, "Authority to issue water-works bonds—No." If the proposition to issue bonds is approved by a majority of all the voters voting at said election, the council of said village shall have authority to issue the said bonds and levy the said tax as provided for in this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 2, 1890.
199L

[House Bill No. 613.]

AN ACT

To authorize the purchase and erection of flag poles and flag raising equipment for the McIntosh flags by the trustees of the several townships of Portage county, Ohio.

WHEREAS, David McIntosh, late of Shalersville, Portage county, Ohio, bequeathed the sum of one thousand dollars to the commissioners of said county and their successors in office, to be by them kept at interest, and said interest to be expended in procuring the American flag for the several townships of Portage county, in such manner as to keep them perpetually supplied; and

WHEREAS, By an act of legislature, passed April 22nd, 1885, the commissioners of Portage county were authorized and required to receive and dispose of said bequest as provided in said will; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of any township to which the commissioners of Portage county, Ohio, may present a flag in accordance with the bequest of the late David McIntosh aforesaid, said trustees may provide a suitable pole and equipment for raising and lowering said flag, and keep the same in repair, all of which said trustees are authorized to pay for out of township funds.

SECTION 2. The township clerk of any township, or county auditor in case of Ravenna, to which said flag may come, shall be custodian of the same as provided in said bequest, and shall have charge of the same as provided in the bequest aforesaid, to-wit: Said flags to be used on all public occasions, where the use of such American flags would be appropriate; for the purpose of preserving said flags as long as possible, the same shall not be used more than three days in succession at any one time.

SECTION 3. The township trustees of any township having such McIntosh flag, or to whom it may come, shall require the township clerk, or the county auditor in case of Revenna, to perform the duties required in section 2 of this act, and require it to be properly cared for by said auditor or clerk.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 2, 1890.
 2001.

[House Bill No. 654.]

AN ACT

To authorize the village of Eaton, Preble county, Ohio, to issue and sell bonds and levy a tax for the purpose of providing said village with a system of water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Eaton, Preble county, Ohio, be and is hereby authorized to issue bonds, not exceeding sixty thousand dollars, to sell the same and use the proceeds thereof in providing said village with a system of public water-works.

SECTION 2. Said bonds shall be issued in such amount, not exceeding \$60,000.00, in such denominations, and payable at such time or times, not exceeding thirty-five years, as said council shall determine. Said bonds shall bear interest at a rate not exceeding five per centum per annum from date of issue payable semi-annually. They shall be signed by the mayor and countersigned by the clerk of said village, and shall be authenticated by the seal of said village.

SECTION 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of purchasing the necessary grounds, which may be purchased by contract or by proceedings for the appropriation of property for public uses as in other cases, and constructing, paying for and maintaining water-works for said village, which water-works when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village.

SECTION 4. For the payment of said bonds and accruing interest thereon, said council shall annually, at the time of making other levies, levy a tax on all the taxable property of said village sufficient in amount each year to pay the bonds falling due that year and the interest accrued.

SECTION 5. Before said bonds shall be issued or tax levied, the question of issuing said bonds and the levying a tax therefor shall be submitted to a vote of the electors of said village at a general election, or special election called for that purpose, as the council of said village may order, notice of such election shall be given by publication in the newspapers published in said village, and for two consecutive weeks, which notice shall state the time and place for holding such election. The tickets voted at said election shall have written or printed upon them: "Issue of bonds for water-works — Yes," "Issue of bonds for water-works — No."

If the proposition to issue such bonds is approved by two-thirds of all the votes cast at said election, the council of said village shall have authority to issue said bonds and levy said tax as provided for in this act.

SECTION 6. The mayor of said village is authorized and required within thirty days after the proposition to issue bonds is approved by a majority vote of all the votes cast at said election, to nominate three persons, citizens of said village, of well known and recognized ability, to act as water-works trustees, not more than two of whom shall belong to the same political party. They shall be nominated, one for one year, one for two years, and one for three years. The nominations shall be made at a regular meeting of the said council, and at the next regular meeting of said council, said council shall by ballot take a vote on the confirmation of said nominations, and if a majority vote of all the members of said council shall vote in favor of the confirmation, then the persons so nominated and confirmed as aforesaid, shall constitute and be a board of water-works trustees. The mayor of said village shall be ex-officio a member and president of said board. The member appointed for one year shall serve until the first general election in said village occurring after his appointment and confirmation and the remaining two members respectively until the second and third general elections occurring after their appointment and confirmation, and until their successors are elected by the electors of said village and duly qualified. On a vacancy occurring in said board from any cause, said mayor shall forthwith nominate and the council confirm, to fill such vacancy, as heretofore provided.

SECTION 7. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

PASSED April 2, 1890.

201L

[House Bill No. 655.]

AN ACT

To authorize the village of Eaton, Preble county, Ohio, to issue and sell bonds for the purpose of purchasing additional site and erecting thereon and remodeling a building containing a town hall, fire department and other rooms for the benefit of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Eaton, in the county of Preble, Ohio, be and is hereby authorized to issue bonds, not exceeding \$25,000.00, to sell the same and use the proceeds thereof in purchasing a suitable and additional site and erecting and remodeling a building containing a town hall, fire department and other rooms for the benefit of said village.

SECTION 2. Said bonds shall be issued in such amount, not exceeding \$25,000.00, in such denominations, and payable at such time or times, not exceeding 25 years, as said council shall determine. Said bonds shall bear interest at a rate not exceeding six per cent. per annum payable semi-annually, and shall be signed by the mayor and countersigned by the clerk of said village, and shall be authenticated by the seal thereof.

SECTION 3. The said council may purchase said site by contract, or if unable to do so, by proceedings for the appropriation of property for public uses as in other cases.

SECTION 4. No more of said bonds shall be sold than is necessary to buy said site and erect and remodel said building, and furnish the same. Said bonds to be sold from time to time as the work progresses, and in such amounts as may be required and made necessary for the completion of said building.

SECTION 5. For the payment of said bonds and accruing interest thereon, said council shall annually, at the time of making other levies, levy a tax on all the taxable property of said village sufficient in amount each year to pay the bonds falling due that year and the interest accrued.

SECTION 6. The bonds mentioned in this act shall not be issued until after the question of issuing the same shall have first been submitted to the electors of said village, either at a general or a special election that may be called for the purpose, and two-thirds of the ballots of the electors voting upon such question be cast in favor of such issue of bonds. The ballots shall have printed or written upon them "Issue of bonds for town hall—Yes;" "Issue of bonds for town hall—No." The council of said village may by resolution at any regular meeting call such special election, or decide to submit such question at the general municipal election. Such resolution shall be published for two consecutive weeks in the newspapers published in said village, and shall contain notice of the time and place for the holding of such election.

SECTION 7. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 2, 1890.
202L

[House Bill No. 666.]

AN ACT

To authorize the trustees of Weston township, Wood county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Weston township, Wood county, Ohio, be, and the same hereby are, authorized to transfer the sum of thirty-four dollars and fifty-five cents (\$34 55), from the bounty fund to the general expense fund of said township.

SECTION 2. This act shall take effect and be in force on and after its passage.

NIAL R. HYSSEL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 2, 1890.
203L

[House Bill No. 786.]

AN ACT

To authorize the board of education of Frankfort special school district, in Ross county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of Frankfort special school district No. 1, in Ross county, be and is hereby authorized to borrow any sum not exceeding thirteen hundred dollars, for the purpose of paying the outstanding indebtedness of said board.

SECTION 2. That for the purpose aforesaid, the said board of education are authorized to issue bonds, not exceeding thirteen hundred dollars (\$1,300), to be signed by the president and attested by the clerk of said board, in sums not less than one hundred dollars (\$100) each, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding four years from the respective dates thereof, as such board may determine; said bonds shall not be sold for less than their par value; and said bonds may, in the discretion of said board, have interest coupons attached.

SECTION 3. That for the purpose of paying the principal and interest of said bonds, said board of education may levy, annually, a tax not to exceed one mill on the dollar of valuation of the property within said district, for four years, in addition to the levy now authorized by law.

SECTION 4. It shall be the duty of said board of education to submit said proposition to issue said bonds and levy said tax to the qualified electors of said district, at any general election or at a special election to be called by the clerk of said board, fifteen (15) days' notice of which shall be given, in some paper of general circulation in said district, of the proposed submission of said proposition to levy said tax. The form of ballots at said election on said proposition shall be as follows: "For school tax—Yes;" "For school tax—No;" and if sixty per cent. of the qualified voters at said election shall vote in favor of said proposition, said board of education shall be authorized to issue said bonds and make said levy for each of the years above mentioned, and not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 2, 1890.
204L

[House Bill No. 577.]

AN ACT

To authorize the sale of the life estate of Sarah A. Evans in real estate in Hamilton county, Ohio.

WHEREAS, On the 28th day of November, 1850, the will of Eunice Mason, deceased, of the city of Cincinnati, Ohio, was duly probated by the terms of which certain real estate situated in said city was devised

to Sarah A. Evans during the term of her natural life, and after her death to her heirs forever; which said real estate has become comparatively unproductive, and in its present condition is not returning an income commensurate to its value; and

WHEREAS, The said Sarah A. Evans, Mary A. Evans, Mason Evans, Jeannie E. Andrews and Gerrett R. Schenck, who are all the persons interested in the said real estate, the said Sarah A. Evans being the life tenant and the other named parties, being all of those entitled to the remainder, are desirous that the said estate, now consisting of real estate, should be more productive to the life tenant, and it appearing in addition to the said desire of all parties, that a lease for a term of years, with a privilege of purchase, or a complete sale will be of substantial benefit to the life tenant and do no injury to those entitled to the remainder; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Sarah A. Evans, Mary A. Evans, Mason Evans, Jeannie E. Andrews and Gerret[t] R. Schenck, are authorized and empowered to sell or lease for a term of years with the privilege of purchase, or sell upon ground rent, all or any part of the real estate which was devised by Eunice Mason, whose will was probated in Hamilton county, Ohio, November 28th, 1850, to Sarah A. Evans for life, and for the purpose of making a proper conveyance the said parties may execute and acknowledge all deeds, transfers, leases and documents of every kind necessary to vest in the purchaser or lessee a complete title.

SECTION 2. The trustee of said estate who may be incumbent at the time the sale or lease provided for in section 1, is made, shall act as the agent of the parties and shall report to the probate court of Hamilton county, Ohio, which has jurisdiction over said estate, his proceedings in the matter, together with the consent in writing of all the parties named in section 1, to the sale or lease, and whatever money or other personal property is received by him as the proceeds of a sale or lease of said real estate, shall be held by said trustee[s] in trust for the same uses and purposes that the said real estate was held, and he shall invest the same, and pay the income thereof, to the said Sarah A. Evans during the term of her natural life, and all money or other property arising from any sale or lease made under the authority of this act, shall be governed by the same principles, as the estate sold, and shall pass according to the terms of the will of Eunice Mason.

SECTION 3. The probate court of Hamilton county, Ohio, shall upon the application of any one of the parties named in section 1 of this act, appoint a guardian for Gerrett R. S[c]henck who is a minor, for the purpose of representing said minor in the transfer of said real estate, and the said guardian is authorized to execute on behalf of and for said minor all necessary deeds and papers.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M ADAMS,

President pro tem. of the Senate.

Passed April 2, 1890.

205L

[House Bill No. 677.]

AN ACT

To divide Benton township, Paulding county, Ohio, into two voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* Benton township, Paulding county, Ohio, be divided into two voting precincts as follows: Sections 1, 2, 3, 4, 5, 6, 11 and 12, of said township shall constitute one voting precinct known as the north precinct of Benton township, with the voting place at the village of Payne. The remainder of said township shall constitute another voting precinct to be known as the south precinct of Benton township, with the voting place at the usual place of holding elections in Benton township, in said county.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 2, 1890.

206L

[House Bill No. 718.]

AN ACT

To divide Jackson township, Paulding county, Ohio, into two voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* Jackson township, Paulding county, Ohio, be divided into two election precincts, as follows, to-wit: All of such township situated south of the Paulding and Melrose improved road shall be known as the south precinct of Jackson township with the voting place on the school grounds of the Hedges and Broughton school district, and midway between the villages of Hedges and Broughton. All of said township situated north of said improved road shall be known as the north precinct of Jackson township, with the voting place at or near a point one and one-half miles north of said road improvement, and located on or near the line of the Jackson township improved road.

SECTION 2. This act shall take effect and be in force on and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 2, 1890.

207L

[House Bill No. 720.]

AN ACT

To authorize the trustees of Van Buren township, Putnam county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the township trustees of Van Buren township, Putnam county, Ohio, be and they are hereby authorized to transfer from the pike fund of said

township, to the road improvement fund of said township, the sum of one thousand fifty-two dollars, and fifty-two cents (\$1,052.52), said sum to be used in the improvement and repair of the gravel roads of said township.

SECTION 2. This act to take effect and be in force, from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 2, 1890.

208L

[House Bill No. 723.]

AN ACT

To authorize the village of Nevada, Wyandot county, Ohio, to transfer certain funds

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Nevada, Wyandot county, Ohio, be and the same is hereby authorized to transfer from the police fund of said village, to the street fund thereof, the sum of four hundred dollars; and to the corporation fund thereof, the sum of four hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 2, 1890.

209L

[Senate Bill No. 215.]

AN ACT

To authorize the incorporated village of Monroeville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Monroeville, in Huron county, be and is hereby authorized to transfer permanently, the sum of (\$1,200.00) twelve hundred dollars, from the police fund to the street fund of said incorporated village of Monroeville.

SECTION 2. This act shall take effect and be in full force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 2, 1890.

210L

[Senate Bill No. 222.]

AN ACT

To authorize the completion of a road in Ross county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the road commissioners of the Clarksburg and Austin Station free turnpike road, in Ross county, Ohio, are hereby authorized to turn over said road and all money and claims in their hands, as such commissioners, to the county commissioners of Ross county, Ohio, and that said county commissioners are hereby authorized and empowered to take charge of and complete said free turnpike road, and to make such change in the location of such turnpike road as in their judgment may be deemed expedient, and to appropriate to the completion of said road not exceeding eighteen hundred dollars.

SECTION 2. That said county commissioners are hereby authorized to levy a tax sufficient to raise the said amount so appropriated to the construction of said free turnpike road upon the taxable property of said county, and to borrow money and issue the bonds of said county in such denominations as they may deem best, bearing a rate of interest not exceeding six per cent. per annum, payable one year after their date, not exceeding in amount the sum so appropriated to construct said turnpike, and said bonds shall not be sold for less than their par value nor without their sale being publicly advertised in some newspaper published in said county for at least ten days prior to their sale, and said tax, when collected, shall be applied to the payment of said bonds and the interest thereon, when due.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 2, 1890.

211L

[House Bill No. 795.]

AN ACT

To restore and keep in repair Union bridge levee, in Spencer township, Hamilton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county, Ohio, be and they are hereby authorized and directed to issue bonds of said county to the amount of fifteen thousand dollars, in denominations of one thousand dollars each, to enable said commissioners to restore and keep in repair the Union bridge levee, in Spencer township, washed away in part and injured by the recent floods of the Ohio and Miami rivers, the same being now dangerous to public travel. Said bonds to bear interest not exceeding four per cent. per annum, interest payable semi-annually, and redeemable at the pleasure of said commissioners any time after ten years, and said commissioners shall annually levy a tax upon the taxable property of the county to pay the interest thereon, and when advisable within said period to levy an

additional tax upon said property to pay the principal when due, and create a sinking fund therefor.

SECTION 2. Said bonds shall be signed by the commissioners of said county, and countersigned by the county auditor, who shall keep a record of the bonds issued, to whom issued and when made payable; said bonds shall be made negotiable, and shall not be disposed of for less than their par value.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 3, 1890.

212L

[House Bill No. 573.]

AN ACT

To amend an act entitled "an act to amend an act to authorize the commissioners of Brown county to construct a free turnpike in said county," passed February 25th, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and are hereby authorized to build and construct a good and sufficient free turnpike on the Brownstown and Arnheim road, as near on the line of the old road as practicable as in the opinion of the county commissioners the same should be located, beginning at Brownstown, and ending at the Arnheim and Ripley free turnpike road, in the village of Arnheim, of said county.

SECTION 2. Twenty per centum of the entire cost of the construction of said turnpike shall be paid by a tax on all the taxable property within one mile of said free turnpike, and eighty per centum of the entire cost of the construction of said free turnpike shall be paid by a tax on all the taxable property of the county.

SECTION 3. The said commissioners shall determine the time in which the said twenty per centum shall be paid, which shall not be less than five years nor more than ten, and an equal part of said twenty per centum shall be levied and collected each year, and the said commissioners are authorized each year to make such levy upon all the taxable property within said taxing district, until the whole twenty per centum is fully paid, and they shall cause the same to be placed upon the tax duplicate and collected as other taxes; and they shall, in like manner, levy upon all the taxable property of the county, the eighty per centum of the costs of said construction, so that the same will be paid in not less than five years nor more than ten.

SECTION 4. For the purpose of paying eighty per centum of the entire cost of the construction of said free turnpike road, the commissioners are hereby authorized to issue the bonds of the county, bearing not to exceed six per cent. interest, payable at such times as the commissioners may determine, not exceeding ten years from the date thereof. Said bonds shall not be sold for less than their par value.

SECTION 5. That said county commissioners be and they are hereby authorized to sell said road at public auction or on sealed bids, as they

may deem best, in sections of one-half mile each, or they may sell the same as a whole, as they may think best for the public interest.

SECTION 6. That said original act, as passed February 25th, 1890, is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 3, 1890.
213L

[Senate Bill No. 23.]

AN ACT

To authorize the council of the village of Wilmington, Clinton county, Ohio, to issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of Wilmington, in the county aforesaid, be and are hereby authorized to issue bonds, not exceeding three thousand dollars in amount, the proceeds of which bonds shall be placed to the credit of the road fund for the purpose of improving the streets of said village and opening new streets, or to make good any fund of said village overdrawn, in improving the streets of said village.

SECTION 2. Said bonds shall be payable at such time, not exceeding ten years from the respective dates thereof, as said council may determine; said bonds shall bear interest at a rate not exceeding six per cent. per annum, and shall not be sold for less than their par value.

SECTION 3. The said village council is also authorized to cause a levy to be made to pay said bonds, and any interest accruing, upon all the taxable property of said village, and to cause the same to be collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
214L

[House Bill No. 599.]

AN ACT

To authorize the council of the village of Liberty Centre, Henry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Liberty Centre, Henry county, Ohio, be and is hereby authorized to transfer one hundred dollars (\$100.00) from the police fund to the fire fund of said village.

additional tax upon said property to pay the principal when due, and create a sinking fund therefor.

SECTION 2. Said bonds shall be signed by the commissioners of said county, and countersigned by the county auditor, who shall keep a record of the bonds issued, to whom issued and when made payable; said bonds shall be made negotiable, and shall not be disposed of for less than their par value.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 3, 1890.

212L

[House Bill No. 573.]

AN ACT

To amend an act entitled "an act to amend an act to authorize the commissioners of Brown county to construct a free turnpike in said county," passed February 25th, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and are hereby authorized to build and construct a good and sufficient free turnpike on the Brownstown and Arnheim road, as near on the line of the old road as practicable as in the opinion of the county commissioners the same should be located, beginning at Brownstown, and ending at the Arnheim and Ripley free turnpike road, in the village of Arnheim, of said county.

SECTION 2. Twenty per centum of the entire cost of the construction of said turnpike shall be paid by a tax on all the taxable property within one mile of said free turnpike, and eighty per centum of the entire cost of the construction of said free turnpike shall be paid by a tax on all the taxable property of the county.

SECTION 3. The said commissioners shall determine the time in which the said twenty per centum shall be paid, which shall not be less than five years nor more than ten, and an equal part of said twenty per centum shall be levied and collected each year, and the said commissioners are authorized each year to make such levy upon all the taxable property within said taxing district, until the whole twenty per centum is fully paid, and they shall cause the same to be placed upon the tax duplicate and collected as other taxes; and they shall, in like manner, levy upon all the taxable property of the county, the eighty per centum of the costs of said construction, so that the same will be paid in not less than five years nor more than ten.

SECTION 4. For the purpose of paying eighty per centum of the entire cost of the construction of said free turnpike road, the commissioners are hereby authorized to issue the bonds of the county, bearing not to exceed six per cent. interest, payable at such times as the commissioners may determine, not exceeding ten years from the date thereof. Said bonds shall not be sold for less than their par value.

SECTION 5. That said county commissioners be and they are hereby authorized to sell said road at public auction or on sealed bids, as they

may deem best, in sections of one-half mile each, or they may sell the same as a whole, as they may think best for the public interest.

SECTION 6. That said original act, as passed February 25th, 1890, is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 3, 1890.
213L

[Senate Bill No. 23.]

AN ACT

To authorize the council of the village of Wilmington, Clinton county, Ohio, to issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of Wilmington, in the county aforesaid, be and are hereby authorized to issue bonds, not exceeding three thousand dollars in amount, the proceeds of which bonds shall be placed to the credit of the road fund for the purpose of improving the streets of said village and opening new streets, or to make good any fund of said village overdrawn, in improving the streets of said village.

SECTION 2. Said bonds shall be payable at such time, not exceeding ten years from the respective dates thereof, as said council may determine; said bonds shall bear interest at a rate not exceeding six per cent. per annum, and shall not be sold for less than their par value.

SECTION 3. The said village council is also authorized to cause a levy to be made to pay said bonds, and any interest accruing, upon all the taxable property of said village, and to cause the same to be collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
214L

[House Bill No. 599.]

AN ACT

To authorize the council of the village of Liberty Centre, Henry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Liberty Centre, Henry county, Ohio, be and is hereby authorized to transfer one hundred dollars (\$100.00) from the police fund to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
 215L

[House Bill No. 686.]

AN ACT

To authorize the county commissioners of Ross county to levy a tax for the purpose of constructing, extending, or finishing free turnpikes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Ross county are hereby authorized, when in their judgment the public interests demand it, to cause to be constructed or finished free turnpikes on or near any state or county road in said county, of such width as in their judgment may seem best, and if the commissioners decide that the public will be benefited by changing the course of any state or county road, they shall proceed to make such change in the manner now prescribed by law for locating and changing state and county roads, and in all other respects in the construction of said roads, they shall proceed in accordance with sections 4770, 4771, 4772 and 4773 of the Revised Statutes; provided, that not more than five thousand dollars shall be expended in any township for the above purpose, and when the same is not sufficient to complete such turnpike road or roads, the commissioners may receive contributions from those interested sufficient to finish the same.

SECTION 2. Before said commissioners shall proceed to let contracts for the construction or finishing of any free turnpike road in said county, they are hereby authorized, in addition to what they are now by law allowed, to levy an additional tax on all the taxable property of the county, not exceeding the sum of seven thousand five hundred dollars in any one year, for the above purpose, nor shall they let contracts to exceed the amount of the tax levied annually, and the whole amount levied under the provisions of this act shall not in the aggregate exceed the sum of twenty-two thousand five hundred dollars.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
 216L

[House Bill No. 784.]

AN ACT

To divide Ottawa township, Putnam county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Ottawa township, Putnam county, and state of Ohio, be and the same is

hereby divided into two election precincts, on the line following, commencing at a point on the north line of said township, on the section line between sections three (3) and four (4), thence south on said section line between sections three and four, nine and ten, fifteen and sixteen, and twenty-one and twenty-two, until the same strikes the left bank of the Blanchard river. Thence south on said section line between sections twenty-one and twenty-two, to the left bank of the Blanchard river, thence up the left bank of said Blanchard river to a point 80 rods north of the east and west center line between sections twenty-one and twenty-eight, thence west to the north and south center line of section twenty-one, thence south on said north and south center line of sections twenty-one and twenty-eight, to the south line of lot No. 2, of section twenty-eight in said township, thence east to the left bank of the Blanchard river, thence up the left bank of the said Blanchard river to a point where the same intersects the north and south section line, between sections twenty-seven and twenty-eight, thence south on said section line, between sections twenty-seven and twenty-eight, and thirty-three and thirty-four, to the south line of said township. All of that part of said township lying east of said line to be known as Ottawa township, east precinct, with the voting place at the village of Ottawa, and all of that part of said township lying west of said line to be known as Ottawa township, west precinct, with the voting place at the village of Glandorf.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
217L

[House Bill No. 480.]

AN ACT

To repeal the act of incorporation of the town of Jefferson, Harrison county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section three (3), of an act passed February 28th, 1846, to incorporate the town of Jefferson, Harrison county, and section three (3) of an act passed March 23rd, 1850, to extend the corporate limits of the town of Jefferson, Harrison county, be and the same are hereby repealed, and that this act shall take effect and be in force on its passage.

NIAL R. HYSSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
218L

[House Bill No. 550.]

AN ACT

To authorize the trustees of Stonelick township, Clermont county, Ohio, to levy a special tax for road purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Stonelick township, Clermont county, Ohio, are hereby authorized to levy and assess a special tax on all the taxable property of said township, except that being within the corporation limits of the village of New Boston, in addition to the amount now authorized by law for road purposes, of not to exceed two mills on the dollar in any one year; said tax to be expended for road purposes and in no other way; the tax so levied may be discharged by labor on the public highway, under the directions of the supervisors of the several road districts therein, as provided by the general statutes of Ohio, regulating labor on the public highways; providing, that the question of levying such tax shall be first submitted to the qualified electors of said township, exclusive of the corporation of said village of New Boston, at the regular election to be held in April of each year, of which notice shall be given by said trustees by posting printed or written notices in five or more conspicuous places in different parts of the township, at least two weeks before each spring election. And at such election the ballots shall have printed or written thereon, "Special road tax — Yes;" or, "Special road tax — No;" and if a majority of these voting, exclusive of the corporation of New Boston, upon the proposition vote "Yes," then it shall be the duty of the said trustees to make a return of said levy to the auditor of said county, to be by him placed on the duplicate of said township, and collected as other taxes.

SECTION 2. This act to take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 4, 1890.

219L

[House Bill No. 600.]

AN ACT

To authorize the commissioners of Henry county, Ohio, to issue bonds for the redemption of other bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Henry county, Ohio, for the purpose of raising money to redeem the bonds of said county issued under the act of February 6, 1880 (77 O. L., page 320), entitled, "an act to authorize the county commissioners of Henry county to issue bonds to build a court house, jail and sheriff's residence," as amended April 14, 1880 (77 O. L., page 395), which bonds are now outstanding, be and they are hereby authorized to issue the bonds of said county not exceeding one hundred thousand dollars (\$100,000); said bonds shall be payable at the office of the county treasurer of said county in a period of time not exceeding fifteen years, and redeemable at the pleasure of the board at any time after ten years.

SECTION 2. Said bonds shall be issued and signed by the commissioners and countersigned by the auditor, who shall keep and preserve a record of each and all bonds so issued, in a book provided for that purpose, and they shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually.

SECTION 3. Said bonds shall be issued in sums not less than one thousand dollars (\$1,000) each, and have such coupons or interest bearing warrants attached as the commissioners may direct, which shall be made negotiable; and it is further provided, that the bonds issued under the provisions of this act shall be sold according to law.

SECTION 4. The commissioners of said county shall annually, at their June session, levy such amount of taxes as will pay the interest on said bonds and at least one-fifteenth of the principal. No part of the money raised by such levy shall be used for any other purpose than the payment of said bonds and interest, and no part of the money received from the sale of said bonds authorized by this act to be issued, shall be used for any other purpose than the redemption of said bonds for which such new issue is made.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 4, 1890.

220L

[House Bill No. 635.]

AN ACT

To authorize the council of the incorporated village of Harrison, Hamilton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Harrison, Hamilton county, Ohio, be and is hereby authorized to transfer the following funds: From the marshal and police fund the sum of three hundred and eighty-two (\$382) dollars, from the general fund the sum of two hundred and eighteen (\$218) dollars to the fire department fund, to be used for the purpose of constructing additional cisterns exclusively.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 4, 1890.

221L

[House Bill No. 693.]

AN ACT

To authorize the village of East Palestine, Ohio, to issue bonds to purchase rubber hose and other fire apparatus for use of said village, and to provide for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of East Palestine, Columbiana county, Ohio, is hereby authorized and empowered to purchase rubber hose, hose cart, and other fire apparatus for the use of said village.

SECTION 2. For such purpose the said village council is hereby authorized to issue the bonds of said village, in such amounts, not exceeding twelve hundred dollars (\$1,200) as it may deem necessary to carry into effect the provisions of this act. Said bonds shall not bear a greater rate of interest than six per cent. per annum, payable semi-annually, and be in denominations of not less than one hundred dollars each, and made payable at such times and place as said council may prescribe. Said bonds shall not be sold below par, or be for a longer time than ten years from the date of issue.

SECTION 3. For the purpose of paying said bonds, and the interest thereon as the same may become due, said council is hereby authorized to levy a tax on all the taxable property of said village, in addition to other taxes now authorized by law, sufficient to pay the annual interest on said bonds, and to pay the principal thereof as the same becomes due.

SECTION 4. This act shall take effect and be in force, from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
222L

[House Bill No. 704.]

AN ACT

To authorize the trustees of Spencer township, Guernsey county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Spencer township, Guernsey county, Ohio, be and they are hereby authorized to transfer the sum of three hundred dollars from the bridge fund of said township to a special fund hereby created for the purpose of defraying the expense of the construction of a sidewalk on and along the highway leading from the village of Cumberland to a cemetery in common use in said Spencer township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 4, 1890.
223L

[House Bill No. 712.]

AN ACT

To authorize the county commissioners of Marion county, Ohio, to issue bonds to provide for the repair of the improved roads of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Marion county, Ohio, for the purpose of providing funds for the repair of the improved roads of said county, be and are hereby authorized to issue bonds in an amount, not exceeding four thousand dollars (\$4,000 00), said bonds shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be in such denominations, and shall be payable at such times, not exceeding two years from date of issue, as said county commissioners may determine. and shall be sold according to law.*

SECTION 2. Said bonds and interest shall be paid out of an additional tax, of not exceeding three-tenths of one mill, to be levied by the county commissioners of said county, to the annual levy of 1890.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 4, 1890.

224L

[House Bill No. 713.]

AN ACT

To authorize the county commissioners of Marion county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Marion county, Ohio, be and are hereby authorized to transfer, permanently, from the surplus building fund of said county to the general county fund of said county, the sum of six thousand dollars (\$6,000.00), and also from the surplus bridge fund, of said county to the general county fund, the sum of six thousand dollars (\$6,000.00).*

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 4, 1890.

225L

[House Bill No. 692.]

AN ACT

To authorize the board of education of New Richmond, Clermont county, to issue bonds and levy a tax for the repair of school buildings.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of New Richmond, Clermont county, Ohio, be*

and hereby is authorized and empowered to issue bonds of said school district in a sum not exceeding one thousand dollars, the proceeds thereof to be applied to the repairing of school buildings and enclosures in said district.

SECTION 2. Said bonds shall be signed by the president of said board of education, and countersigned by the clerk, who shall keep a record of the same, and shall be in such denominations as the board shall determine, payable in one and two years, with interest at six per cent. per annum, payable annually, and shall be sold as provided by law; said board is also authorized to levy a tax sufficient to pay said bonds as they become due, in addition to the maximum rate authorized by law, upon all taxable property of said school district.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS.
President of the Senate.

Passed April 8, 1890.
226L

[House Bill No. 708.]

AN ACT

To authorize the city of Ironton, and Upper township, in Lawrence county, Ohio, to build a bridge and issue bonds therefor.

WHEREAS, The township of Upper, in the county of Lawrence, and state of Ohio, and the city of Ironton, situated in said township, have united in the purchase and care of Woodland cemetery, situated in said township, and,

WHEREAS, The bridge across Big Ice creek at the entrance of said cemetery has become dangerous and liable to fall; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That [the] council of said city and the trustees of said township be, and they are hereby empowered and authorized to issue bonds not to exceed the sum of ten thousand (\$10,000) dollars, or so much thereof as may be necessary, for the purpose of building over Big Ice creek, at the entrance of said cemetery, a good and substantial bridge with the necessary approaches thereto; said bonds shall be of such denominations, and bear such rate of interest, not to exceed six per cent., payable semi-annually, and mature at such times, not exceeding twenty years from the date of the issuing thereof, as said council and trustees shall determine, and said bonds shall not be sold for less than their par value.

SECTION 2. That for the purpose of providing for the payment of said bonds and the interest thereon as they shall mature, the council of said city and trustees of said township, at their joint meeting to be held the first Friday in May of each year, are hereby authorized to levy, in addition to the tax otherwise authorized by law, a tax upon all the taxable property of said city and township at such rates as will pay such bonds and interest as they become due and payable, which tax shall be levied and collected according to law.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 8, 1890.
 227L

[House Bill No. 710.]

AN ACT

To authorize the village council of the incorporated village of Oberlin, Lorain county to issue bonds for the purpose of extending, and erecting a stand-pipe for its public water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the village council of the incorporated village of Oberlin, Lorain county, Ohio, are hereby authorized to issue the bonds of the said village in the sum of not exceeding ten thousand dollars bearing interest at a rate not exceeding six per cent. per annum, from the date of issue, payable semi-annually, for the purpose of erecting a stand-pipe for the public water-works of said village, and for the extension of said water-works in such manner as the proper authorities may determine.*

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value. Said bonds shall be issued in such sums respectively as shall in the judgment of the council of the said village best promote the sale thereof, and at such times and in such amounts as may be deemed necessary for the proper progress of the work. The principal of each bond shall be payable at such times as the council of said village shall determine by ordinance, but within a period not exceeding thirty years.

SECTION 3. Said council are hereby authorized and required to levy a tax upon all the taxable property of said village, sufficient to provide for the payment of the interest on said bonds, and to create a sinking fund for the payment of the principal thereof, as they shall respectively fall due; which said tax shall not exceed one mill on the dollar in any one year, in addition to the tax of not exceeding four mills on the dollar, authorized by the act of March 24th, 1886, for the payment of the principal and the interest of the bonds heretofore sold for the construction of said water-works.

SECTION 4. The funds realized from the sale of said bonds shall be used by the proper authorities of said village for the purpose of erecting said stand-pipe and extending said water-works in such manner as they may determine, according to the laws of the state and the ordinances of the said village, enacted in conformity therewith.

SECTION 5. The question of issuing said bonds, levying said tax, and erecting said stand pipe, and extending said water-works, shall be submitted to a vote of the qualified electors of the said village, at a regular municipal election, or at a special election, to be ordered for that purpose, as the council of said village may determine, to be held at the usual place of holding elections in said village. The tickets to be voted at said election shall have written or printed thereon, the words "Water-works extension and stand-pipe—Yes," or "Water-works extension and stand-pipe—No." If a

majority of the votes cast at said election on said proposition contain the words, "Water works extension and stand-pipe—Yes," then the council shall proceed to issue said bonds, and construct said stand-pipe and extend said water-works, and not otherwise. Provided that ten days' previous notice shall be given of the time and place of holding said election, by publication in one newspaper of general circulation in said village.

SECTION 6. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 8, 1890.

228L

[Senate Bill No. 128.]

AN ACT

To authorize the board of education of the village school district of Reading, Hamilton county, Ohio, to borrow money and issue bonds therefor to pay the expense of completing and furnishing a public school building for said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village district No. 1 of Reading, Hamilton county, Ohio, be and it is hereby authorized to borrow any sum of money not exceeding four thousand dollars, for the purpose of paying the expense of completing and furnishing the public school building in said school district.

SECTION 2. That for the purpose aforesaid the said board of education is hereby authorized to issue bonds not exceeding four thousand dollars in amount, bearing interest from date of issue, at not exceeding six per cent. per annum, interest payable semi-annually, and payable at such time or times, not exceeding five (5) years from the date thereof, as such board may determine, said bonds to be signed by the president and attested by the secretary of said board, and not to be sold for less than their par value, at public or private sale, as said board may determine.

SECTION 3. Said board shall, annually, after the issue of said bonds, caused to be assessed, and the auditor of said county shall place on the duplicate of said county, on the taxable property of said school district, the taxes necessary to pay the interest on said bonds semi-annually, and the principal thereof as the same shall become due, in addition to the taxes now allowed by law in said school district, which tax shall be collected by the treasurer of said county, in the same manner as other taxes levied by said board of education.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 11, 1890.

229L

[Senate Bill No. 140.]

AN ACT

To authorize the treasurer of Clinton county to refund pro rata to the tax-payers within the bounds of road improvement No. 34 taxes that have been assessed and are now remaining in the county treasury to the credit of the funds of said road improvement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the treasurer of Clinton county is hereby authorized to refund pro rata to the tax-payers living within the bounds of road improvement No. 34, whose lots and lands have been assessed for the purpose of making said improvement, the sum of eight hundred dollars, or whatever sum there may be remaining in the county treasury to the credit of the funds of said road improvement.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 11, 1890.

230L

[Senate Bill No. 224.]

AN ACT

To authorize the village of New Philadelphia, Tuscarawas county, Ohio, to borrow money and issue bonds therefor, to be used in purchasing additional cemetery grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of New Philadelphia, Tuscarawas county, Ohio, be and the same is hereby authorized to issue the bonds of said village, not exceeding in amount the sum of twelve thousand dollars, as hereafter provided, for the purpose of purchasing additional cemetery grounds for said village.

SECTION 2. Said bonds shall be of such denominations, and payable at such times, and bear interest at such rate, not exceeding six per cent. per annum, as the council of said village may determine, but said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and the interest thereon, as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said village, in addition to that otherwise authorized by law, to such an amount each year as shall be necessary for the payment of the principal and interest of such bonds as the same shall become due.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 11, 1890.

231L

[Senate Bill No. 200.]

AN ACT

To authorize the city council of Mansfield, Richland county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Mansfield, Richland county, Ohio, be and the same is hereby authorized to transfer from the bonded debt fund the sum of ten thousand dollars (\$10,000 00), seven thousand dollars (\$7,000 00) thereof to the police fund, and three thousand dollars (\$3,000 00) to the general fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

232L

[Senate Bill No. 231.]

AN ACT

To authorize the commissioners of Cuyahoga county to pay certain claims.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Cuyahoga county, Ohio, be and they are hereby authorized to pay the sum of two hundred and fifty (\$250 00) dollars for hospital and medical expenses incurred by Joseph Goldsoll deputy sheriff of said county, by reason of wounds received by him in attempting the arrest of unknown burglars July 21st, 1889.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

233L

[Senate Bill No. 229.]

AN ACT

Allowing the council of the city of Wellsville, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Wellsville, Ohio, is hereby authorized and empowered to transfer \$1,000 from the contingent fund of said city, to the fire fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

234L

[Senate Bill No. 232.]

AN ACT

Providing for a school house in the Plain City village school district, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of the village school district of Plain City, in Madison and Union counties, Ohio, are hereby authorized to borrow not exceeding the sum of twenty-five thousand dollars (\$25,000), to be expended in purchasing a site and erecting, heating, ventilating and furnishing a school house in and for the use of said district; and for such purpose, said board may issue the bonds of said district in the amount of twenty-five thousand dollars (\$25,000), which bonds shall be of such denominations, and payable at such places and times, not exceeding twenty years, as the board may determine, and shall bear interest not exceeding six per cent. per annum, and shall not be sold for less than their par value, and the board may, annually, levy on the taxable property of the district a tax to pay the principal and interest of the bonds as the same shall mature, which tax may be in excess of the maximum now allowed by law.

SECTION 2. This act shall take effect on its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

235L

[Senate Bill No. 198.]

AN ACT

To divide Independence township, Cuyahoga county, state of Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* Independence township, in Cuyahoga county, state of Ohio, be and the same hereby is divided into two election precincts, as follows, to-wit: The said division for election purposes shall be on and along the Cuyahoga river; and all that part of said township lying west of said Cuyahoga river, shall be designated and known as precinct "A," and the voting place for said precinct shall be at the town hall; and all that part of said township lying east of said Cuyahoga river, shall be designated and known as precinct "B," and the voting place for said precinct shall be at or near the school house in sub-school district number three.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

236L

[House Bill No 238.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county, be and they are hereby authorized to build and construct a good and substantial free turnpike road in said county, said pike to be located on the road leading from Point Isabel to Mt. Olive, beginning at the free turnpike leading from Point Isabel to Felicity, at the residence of John D. Ashley, thence on the line of said Point Isabel, and Mt. Olive road and passing the residence of James H. Day, and A. M. Swope, and intersecting the Mt. Olive and Laurel road, thence with said roads, or as near thereto, as suitable ground and easy grade can be obtained to the Bethel and Felicity free turnpike, at Mt. Olive church, said road to be not less than thirty nor more than forty feet in width, to be determined by the commissioners.

SECTION 2. That said commissioners shall, before proceeding to construct said road or any part of same, require and secure from those interested in said free pike, a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SECTION 3. That for the purpose of paying for said improvement the county commissioners are hereby authorized to levy and assess a tax not exceeding three-tenths of one mill on the dollar, on any and all property upon the tax duplicate in said county.

SECTION 4. That a majority of said board of commissioners, shall at a regular session be necessary to agree upon specifications and order said improvement or any part thereof.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

237L

[House Bill No. 239.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Clermont county, Ohio, are hereby authorized to construct a free turnpike as follows to-wit: Commencing on the south side of the village of Batavia, on the east side of the East Fork; thence up the East Fork, with the old county road, to or near Branch Hill, M. E. church; thence on the nearest and most practicable route to the county road running through the farm of William Johnson on the easterly side of said East Fork; thence with said county road running through the farm of said Johnson, as nearly as may be practicable to the bridge across the East Fork; thence with the county road, or as nearly so as may be practicable

to or near the village of Bantam, on the Ohio turnpike, and in locating said road, said commissioners may locate the same in whole or in part upon any county or township roads, heretofore laid out and established, and may widen, alter, change or vacate any parts of said roads, as may seem proper, and said commissioners may survey and locate such free turnpike through any improved or unimproved lands, as they may deem proper, and they are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio, for the appropriation of private property for public uses, and pay such compensation therefor as may be adjudged to be proper, said road to be opened not more than sixty nor less than thirty feet wide.

SECTION 2. Said commissioners shall if they deem proper, issue bonds for the construction of said road, but such bonds shall not bear a higher rate of interest, than six per centum per annum, payable semi-annually, and said bonds may extend to such time as they can be met, at a levy of not more than two-tenths of one mill on the dollar per annum on the tax duplicate of said county.

SECTION 3. That said commissioners shall before proceeding to construct said road, or any part thereof require and secure from those interested in said road and improvement a good subscription or donation, or part of both equal in amount to twenty per centum, of the whole cost of said improvement to aid in its construction.

SECTION 4. For the purpose of paying such bonds as may be issued for the construction of said road the commissioners of said county are hereby authorized to levy and assess a tax not exceeding two-tenths of one mill on the dollar annually on all the taxable property of said county in addition to taxes now authorized by law.

SECTION 5. That a majority of said board of commissioners shall be necessary at any regular session to agree upon specifications and order said improvement or any part thereof to be made.

SECTION 6. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
238L

[House Bill No. 477.]

AN ACT

To transfer territory from St. Mary's township school district, Auglaize county, Ohio, to St. Mary's village school district, for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following territory be and hereby is transferred for school purposes from St. Mary's township school district, to St. Mary's village school district in the county of Auglaize and state of Ohio, to-wit: All that part of section number eight (8), lying and being east of the Mercer county reservoir; all section number nine (9); all that part of section number ten (10) not now belonging to said village school district; the west half ($\frac{1}{2}$) of section number eleven (11); the west half ($\frac{1}{2}$) of section

number two (2), and all that part of section number three (3) not now belonging to said village school district; all the above described territory being in township number six (6), south of range number four (4), east in Auglaize county, Ohio.

SECTION 2. That the territory heretofore constituting said St. Mary's village school district, together with the territory hereby transferred thereto, being in all, sections number three (3), four (4), nine (9), and ten (10); the west half ($\frac{1}{2}$) of sections number two (2) and eleven (11); and all that part of section number eight (8) lying and being east of the Mercer county reservoir, all in township number six (6), south of range number four (4), east in Auglaize county, Ohio, shall hereafter constitute one village school district, which shall be known as the St. Mary's village school district.

SECTION 3. This act shall take effect, and be in force, from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
239L

[House Bill No. 505.]

AN ACT

To repeal an act entitled "an act to authorize the creation of a special school district in Jefferson township, Guernsey county, Ohio," passed April 19, 1877 (Ohio laws, volume 74, page 447).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to authorize the creation of a special school district in Jefferson township, Guernsey county, Ohio," passed April 19, 1877 (volume 74, page 447, laws of Ohio), be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
240L

[House Bill No. 546.]

AN ACT

To authorize the council of the incorporated village of Bowling Green, Wood county, Ohio, to enlarge the natural gas plant of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Bowling Green, Wood county, Ohio, be and is hereby authorized to issue bonds for the purpose of purchasing territory, drilling wells, laying pipes and extending and enlarging the natural gas plant, now existing in said village, not to exceed one hundred thousand dollars in amount.

SECTION 2. Before such bonds or any of them shall be issued, the question of issuing the same shall be submitted to the qualified voters of said village, at a general or special election, to be held at such time as the council of said village shall appoint. The tickets voted shall have written or printed thereon the words: "Authority to issue bonds—Yes;" or "Authority to issue bonds—No." If the proposition to issue bonds be approved by two-thirds of those voting upon the proposition, the village shall have authority to issue bonds for the purpose named, as provided in this act.

SECTION 3. The council of said village shall publish notice of the submission of such question in all of the newspapers published in said village, for at least 10 days prior to such election, and such election shall be held in all respects, not otherwise herein provided, as municipal elections are now required by law to be held.

SECTION 4. Such bonds, when so authorized, shall be issued by the council of said village in denominations not less than one hundred or more than five hundred dollars, payable in such times, not exceeding twenty years, as the council shall provide, with interest not exceeding six per cent. per annum, payable semi-annually; principal and interest payable at such place as the council may determine; they shall express upon their face the purpose for which, and the act under which issued, and shall be signed by the mayor and countersigned and registered by the clerk of the village, and shall not be sold for less than their face value.

SECTION 5. No more bonds shall be issued and sold than is necessary for and required by the actual and necessary cost and expenses of sinking wells, in such numbers as may be required for the purposes named in section 1 of this act, and laying of pipes and other necessary expenses; they shall be sold, from time to time, as the work progresses, and in such amounts as shall be required and made necessary by progress, and for the proper completion of the works; and all proceeds and moneys arising from said bonds shall be used exclusively for and applied to the payment of the work, labor, material and other expenses necessary for the supply of gas for the purpose aforesaid.

SECTION 6. All moneys collected or received by said village from the citizens thereof, for gas furnished and consumed for public or private use, and all net incomes, revenues and profits arising therefrom, shall be pledged and applied to the payment of said bonds and interest; and the council of said village is hereby authorized to levy a tax annually, in addition to the said net income, sufficient to pay the interest and principal of said bonds as the same become due.

SECTION 7. This act shall take effect and be in force on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

241L.

[House Bill No. 671.]

AN ACT

To divide Richland township, Clinton county, Ohio, into two voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Richland, Clinton county, be divided into two voting precincts, by a line beginning at a point on a pike road known as the Henderson pike, on the line between Wayne and Richland townships, and near the lands owned by John Moore, and running thence in a northerly direction with said Henderson pike to the Wilmington and Washington pike, thence crossing the lands owned by John Pavey and others in the same direction to the Wilson and Richland township line. All that territory on the west side of said line to be known as the Reesville voting precinct of said township; provided before such division of said township is made, the question shall be submitted to a vote of the qualified electors of Richland township at some regular election held in such township. The tickets voted shall have written or printed on them, "For new voting precinct—Yes," or "For new voting precinct—No." If a majority of the votes cast on the question is in favor of such precinct the said Richland township shall be divided as provided in this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
242L

[House Bill No. 684.]

AN ACT

To authorize the board of education of Waynesfield special school district, Wayne township, Auglaize county, Ohio, to borrow money and issue bonds therefor, for the purpose of building an addition to the school house in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Waynesfield special school district, Wayne township, Auglaize county, Ohio, be and they are hereby authorized to build an addition to the school house in said district; provided the cost of said building shall not exceed the sum of fifteen hundred dollars.

SECTION 2. That for the purpose aforesaid the said board are hereby authorized to issue bonds not exceeding fifteen hundred dollars in amount, to be signed by the president and attested by the clerk of said board, in sums of three hundred dollars each, payable in one, two, three, four and five years respectively, from the dates thereof, and to bear interest at a rate not exceeding six per cent. per annum, payable annually or semi-annually, as the board may direct, at the office of the treasurer of said board of education.

SECTION 3. Said board shall annually thereafter cause the necessary taxes to be levied in addition to those now authorized by law, to pay the principal and interest thereof, as the same shall become due, in the man-

ner provided by law for the levying and collecting of taxes for school and school house purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
243L

[House Bill No. 736.]

AN ACT

To change the names of Rebecca Rinehart, Robert T. Rinehart, Parsons Rinehart and Lyman H. Rinehart.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the names of Rebecca Rinehart, Robert T. Rinehart, Parsons Rinehart and Lyman H. Rinehart, residents of Auglaize county, Ohio, be and the same are hereby changed so as to read as follows: Rebecca Means, Robert T. Means, Parsons Means and Lyman H. Means.

SECTION 2. That such change shall in no wise affect the privileges and liabilities of said persons.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
244L

[House Bill No. 745.]

AN ACT

To authorize the board of education of the incorporated village of Glenville, Cuyahoga county, Ohio, to issue additional bonds for the purpose of erecting a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Glenville, Cuyahoga county, Ohio, be authorized to issue additional bonds, in a sum not exceeding two thousand dollars (\$2,000.00), for the purpose of erecting a school building in said village.

SECTION 2. Such bonds shall be issued by said board in denominations not less than one hundred, nor more than five hundred dollars, payable in such times not exceeding five years, as the said board may provide, with interest not exceeding six per cent. per annum, payable semi-annually, principal and interest payable at such place as the board

may determine; provided that nothing herein shall authorize said board to levy any greater tax than is now provided by law.

SECTION 3. This act shall take effect on its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
 245L

[House Bill No. 747.]

AN ACT

To authorize the trustees of Independence township, Cuyahoga county, Ohio, to levy a tax on said township, and issue bonds to pay for a deficiency in the funds of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Independence township, Cuyahoga county, Ohio, be and are hereby authorized to issue bonds of said Independence township in any sum not exceeding in the aggregate, ten hundred dollars (\$1,000.00), payable at any time within three years, and bearing a rate of interest, not exceeding six per cent. per annum, interest payable semi-annually, for the purpose of meeting and providing for a deficiency of poor funds, of said township, arising from insufficient levies for township poor purposes. Said bonds shall not be sold for less than their par value, and shall be signed by the trustees of said township, and be attested by the clerk of said township.

SECTION 2. For the purpose of raising the money to pay said bonds, and the interest thereon, as they mature, the said trustees are hereby authorized to levy a tax not exceeding one mill on the dollar, in any one year, on all of the taxable property in said township, in addition to the taxes now authorized by law, to meet said indebtedness.

SECTION 3. This act shall take effect and be in force, from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
 246L

[House Bill No. 749.]

AN ACT

To authorize the trustees of Brecksville township, Cuyahoga county, Ohio, to issue bonds for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Brecksville township, Cuyahoga county, Ohio, be and said trustees are, hereby empowered and authorized to issue bonds not to exceed the sum of seven hundred (\$700.00) dollars for the purpose of purchasing additional grounds for cemetery purposes and for improving same, such

bonds shall be of such denominations and bear such rate of interest not exceeding six per cent. payable semi-annually and mature at such times not exceeding five years, as said trustees may determine, and said bonds shall not be sold for less than their par value.]

SECTION 2. That for the purpose of providing for the payment of said bonds and the interest thereon as they shall mature, said trustees are hereby authorized and required to levy in addition to the taxes otherwise authorized by law, a tax upon all the taxable property of said township which tax shall be levied and collected in the manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
247L

[House Bill No. 759.]

AN ACT

To authorize the board of county commissioners of Franklin county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Franklin county, Ohio, be and they are hereby authorized to transfer the unexpended balance, and the amount to be realized from the duplicate of 1890, from the dog tax fund ("after all sheep claims have been paid") to the general expense fund of said county.

SECTION 2. This act shall take effect, and be in force, from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
248L

[House Bill No. 761.]

AN ACT

To authorize the board of education [of] Xenia township, Greene county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Xenia township, Greene county, Ohio, be and is hereby authorized to transfer the sum of eight hundred and ninety-one dollars (\$891.00) from the building fund of joint sub-district No. 13, to the tuition and contingent school funds of said township.

SECTION 2. This act shall take effect, and be in force, from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
249L

[House Bill No. 762.]

AN ACT

To authorize the auditor of Greene county, Ohio, to draw his warrant on the treasurer of said county for certain amounts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of Greene county, Ohio, be and is hereby authorized to draw his warrant for the sum of \$50.00 on the treasurer of said county in favor of the treasurer of Xenia township for contingent school fund of said township, and in favor of the treasurer of Caesar's Creek township, for the sum of \$410.00 for the tuition and contingent school fund of said township, out of the funds now in said county treasury, levied and collected from said township, for the purpose of buying a lot, and building a school house in joint sub-district No. 13, now dissolved.

SECTION 2. This act shall take effect, and be in force, from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
250L

[House Bill No. 776.]

AN ACT

To authorize the council of the village of Prospect, Marion county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Prospect, Marion county, be and it is hereby authorized to transfer from fire fund, to the general fund, the sum of two hundred and fifty dollars (\$250.00), and also from the marshal and police fund to the general fund, the sum of two hundred and fifty dollars (\$250.00).

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 11, 1890.
252L

[House Bill No. 773.]

AN ACT

To authorize the board of education of the Youngstown city school district, of Mahoning county, to increase the tax levy for 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the Youngstown city school district, of Mahoning county, be and they are hereby authorized to levy for the year 1890, in addition to the amount now authorized by law for school purposes, a tax not exceeding one mill on the dollar of the assessed valuation for taxation, of all the property of said school district, for the purpose of erecting and furnishing school houses in said district.*

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

253L

[House Bill No. 794.]

AN ACT

To authorize the village of Brookville, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Brookville, Ohio, be and is hereby authorized to transfer from the prison fund of said village, to the fire fund, the sum of two hundred and fifty dollars.*

SECTION 2. This act shall take effect, and be in force, from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

254L

[House Bill No. 809.]

AN ACT

To amend section 3 of an act passed April 2nd, 1890, to authorize the board of education of Frankfort special school district, in Ross county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That section 3 of an act to authorize the board of education of Frankfort special school district in Ross county, Ohio, to borrow money and issue bonds therefor, passed April 2d, 1890, be amended so as to read as follows:*

Sec. 3. That for the purpose of paying the principal and interest of said bonds, said board of education may levy, annually, a tax not to exceed one and one-half mills on the dollar of valuation of the property

within said district, for four years, in addition to the levy now authorized by law.

SECTION 2. That said original section 3 of said act be and the same is hereby repealed.

SECTION 3. This act shall take effect, from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 11, 1890.

255L

[House Bill No. 283.]

AN ACT

To vacate and abolish joint sub-school district number nine in Ludlow township, Washington county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That joint sub-school district number nine, in Ludlow township, Washington county, Ohio, be and the same is hereby dissolved, vacated and abolished.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 15, 1890.

256L

[House Bill No. 299.]

AN ACT

to authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, are hereby authorized to construct the following free turnpike road, commencing at the intersection of the Williamsburg and Bantam turnpike, by the road leading to the Tunnel mill, thence on said road, by way of Tunnel mill to Baywood, thence on the most direct route to the corporation line of the village of Bethel, and in locating such road, said commissioners may locate the same upon the road or any part of any county or township road heretofore laid out, and established, and to widen, alter, change or vacate the same or any part thereof, and shall have power to lay out, locate and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose, to condemn and appropriate the necessary lands therefor. Said road shall be opened not more than sixty nor less than thirty feet wide to be determined by the commissioners.

SECTION 2. That said commissioners may, if they deem best, issue bonds for the construction of said road, provided that said bonds shall not bear interest at a higher rate than six per centum per annum, paya-

ble annually, and shall not be sold for less than their par value, provided further, that said bonds may extend to such time as they can be met at a levy of three-tenths of one mill on the dollar on the taxable property on the duplicate of said county.

SECTION 3. That said commissioners shall before proceeding to construct said road or any part thereof require and secure from those interested in said improvement a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SECTION 4. For the purpose of paying said bonds the county commissioners are hereby authorized to levy and assess a tax not exceeding three-tenths of one mill on the dollar annually on all the property in said county in addition to the taxes now authorized by law.

SECTION 5. That a majority of said board of commissioners shall be necessary at a regular session to agree upon specifications and order said improvement or any part thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 15, 1890.
257L. •

[House Bill No. 578.]

AN ACT

To authorize the commissioners of Clermont county, to issue the bonds of said county to meet and provide for existing deficiencies in various funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, in order to meet and provide for existing deficiencies, in various funds of said county, be and they are hereby authorized to issue the bonds of said county for an amount not exceeding thirty-five thousand dollars (\$35,000.00). Said bonds to bear interest at a rate not exceeding four and one-half ($4\frac{1}{2}$) per cent. per annum, payable semi-annually, and said bonds shall not be sold for less than their par value and accrued interest.

SECTION 2. Said bonds so issued shall be signed by the commissioners of said county of Clermont and countersigned by the auditor, and shall be in denominations of not less than five hundred dollars (\$500.00) or more than one thousand dollars (\$1,000.00) each, and shall have interest coupons attached, and said bonds and coupons, shall be payable to the bearer at the office of the treasurer of said county at Batavia, Ohio, at such times not exceeding fifteen years, as that an equal amount of said indebtedness, together with accruing interest, shall be paid annually, beginning one year from date of issue.

SECTION 3. That for the payment of the interest on, and the final redemption of said bonds, the commissioners of said county are hereby authorized and required to levy taxes annually, in addition to the rate of taxes now allowed by law to be levied at a rate not to exceed one-half of

one mill on all the taxable property of said county, to meet the payment of said bonds and the interest thereon, as the same become due and payable.

SECTION 4. Said bonds shall be sold and registered according to law, and the proceeds applied to the existing deficiencies in the various funds of said county.

SECTION 5. This act to be in force, from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 15, 1890.

258L

[House Bill No. 670.]

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to use certain funds in the construction of a greenhouse and making other permanent improvements at Longview asylum.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county, Ohio, be and they are hereby authorized, on the request in writing of the board of directors of Longview asylum, to apply and use in the erection of a greenhouse, and making other improvements at Longview asylum, any funds now in the county treasury of Hamilton county, or which may hereafter come into said treasury, arising from the sales of lands made under the authority of an act of the general assembly of Ohio, passed April 15th, 1874, entitled "an act to authorize the county commissioners of Hamilton county to become vested with the title of and to sell certain lands, and to use the proceeds thereof, in connection with other funds, in the erection of additional buildings for Longview asylum" (Ohio laws, vol. 71, page 182).

SECTION 2. Said improvements shall be built according to plans and specifications to be agreed upon by said board of county commissioners of Hamilton county and the board of directors of Longview asylum, and approved by the board of control of said county.

SECTION 3. This act shall take effect, and be in force, from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 15, 1890.

259L

[House Bill No. 688.]

AN ACT

To authorize the congregation of the Church of Christ, at Beallsville, in the county of Monroe, to sell their church property, and dispose of the proceeds of such sale.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the deacons of said congregation, to-wit: Stilwell Harper, Byron E

Harper and Ross L. Hutchison, are hereby authorized and empowered to sell lot No. 1—one, in Smith and Hesse's addition to the town of Beallsville, in Monroe county, belonging to said congregation, in said town of Beallsville, either at public or private sale, as such deacons may deem best, and upon such payment or payments, and upon such terms of credit, as such deacons may judge best; and that when such deacons shall have received the money therefor, they are hereby authorized and empowered to apply said money in the erection or completion of a house of worship for the Church of Christ, at Beallsville, or vicinity, as the elders and deacons of said congregation, jointly, may decide and upon such sale being made, the said deacons are hereby authorized and empowered to execute and deliver to the purchaser of said property, a deed conveying the same in fee simple, and such conveyance shall operate to convey all the interest of said church therein, to such purchaser.

SECTION 2. This act shall be in full force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 15, 1890.

260L

[House Bill No. 737.]

AN ACT

To authorize the board of education of the New Bremen school district, Auglaize county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the New Bremen school district, Auglaize county, Ohio, be and they are hereby authorized and empowered to transfer fifteen hundred (\$1,500) dollars from the tuition fund to the school house fund of said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 15, 1890.

261L

[House Bill No. 778.]

AN ACT

To increase the levy for school purposes in New Straitsville special school district, Perry county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of New Straitsville special school district, in Perry county, be and the same is hereby authorized to levy a tax for the year 1890, not exceeding eight mills on the dollar, on all the taxable property in said special school district, in addition to the levy now authorized by law for school purposes, in said special school district. Said tax to be

levied and collected in the same manner as taxes for school purposes are levied and collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 15, 1890.
262L

[House Bill No. 798.]

AN ACT

To authorize the village council of Wilmington, Clinton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Wilmington, Clinton county, Ohio, be and are hereby authorized to transfer eleven hundred dollars from the gas fund to the general fund, and seven hundred and fifty dollars from the marshal and police fund, to the general fund.

SECTION 2. This act shall take effect, and be in force, from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 15, 1890.
263L

[House Bill No. 800.]

AN ACT

To authorize the board of education of South Union township, Ross county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of South Union township in Ross county, Ohio, be and hereby is authorized to transfer the sum of eleven hundred dollars (\$1,100.00), from the building fund in sub-district No. 5 of said township, to the contingent fund of said board.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 15, 1890.
264L

[House Bill No. 548.]

AN ACT

To authorize the commissioners of Monroe county, Ohio, to refund to Amanda J. Arnold a part of forfeited recognizance of John C. Arnold paid by Amanda J. Arnold.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Monroe county, Ohio, be and they are hereby authorized and empowered to refund to Amanda J. Arnold, any sum not exceeding four hundred dollars, out of the general expense fund of said county, to reimburse Amanda J. Arnold in part, for the sum of five hundred dollars, paid by her on the 27th day of May, 1886, being the amount of the forfeited recognizance of John C. Arnold, her husband.

SECTION 2. This act shall take effect and be in force on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
265L

[House Bill No. 566.]

AN ACT

To provide for the purchase of a site and building and furnishing thereon an armory, in the county of Franklin, for the use of the Ohio national guard, and to create a fund to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That upon the adoption by the electors of Franklin county of the proposition mentioned in section ten of this act, and in the manner therein provided, the judges of the court of common pleas residing in said county, shall appoint three citizens of said county, having the qualifications of electors, not more than two of whom shall be members of the same political party, and two of whom shall be members of the Ohio national guard in active service, who, together with the members of the board of county commissioners of said county, shall constitute a commission, to be known as the armory commission of Franklin county, and shall have power as hereinafter provided, to select a site for an armory building or buildings and to adopt plans and specifications for the construction and furnishing of such building or buildings within the city of Columbus, for the use of the resident Ohio national guard in said county.

SECTION 2. The judges by whom said persons are appointed, shall have the power to remove them or either of them for misconduct, neglect of duty or other cause, which to said judges may seem sufficient, and shall have the power to fill all vacancies in said commission caused by the removal, resignation or death of any of said persons so appointed, or of any successor of any of them. Said armory commission shall continue in existence until said building or buildings shall have been completed and furnished ready for use, but shall have no powers except as herein specifically conferred.

SECTION 3. The persons appointed to act with the members of the board of county commissioners, as aforesaid, shall receive no compensation for their services, but may, on the order of the board of county com-

missioners of said county, be allowed and paid their actual traveling expenses, if any, rendered necessary by the discharge of their duties as members of said commission.

SECTION 4. The county auditor of said county shall act as clerk of said armory commission and shall keep a record of its proceedings, and said commission shall hold meetings at such times and places as may be agreed upon by a majority of its members.

SECTION 5. In selecting such site and in adopting or modifying such plans or specifications, the members of said board of county commissioners and such persons so appointed by said common pleas judges, shall each have one vote, and no action shall be taken by said commission, except by the affirmative vote of all the members thereof.

SECTION 6. Said armory commission shall have the power to select and employ an architect to prepare plans and specifications for said armory, and for the furnishing of the same, or it may invite the submission of plans and specifications therefor, and select such plans and specifications as in the opinion of a majority of its members may be best adapted to the purpose for which said building or buildings are to be erected and used; no substantial change shall be made in the plans and specifications, which shall have been adopted by said commission, except by the affirmative vote of a majority of its members.

SECTION 7. When real estate shall have been selected by said commission as a site for said building, the board of county commissioners of said county shall have power to purchase the same, and the title to the real estate so selected and purchased shall be taken and held in the name of said board of county commissioners for the use of said county, and shall, together with the building or buildings erected thereon and the furniture purchased for use therein, be and remain the property of said county. The entire cost of said real estate and of the building or buildings erected thereon complete and of the furnishing thereof ready for use, shall not exceed the sum of one hundred thousand dollars, and any contract or contracts which would increase the aggregate cost thereof beyond said sum shall be void.

SECTION 8. The contracts for the construction and furnishing of said armory building or buildings shall be advertised for, and awarded, executed and carried out by the said board of county commissioners in the manner provided for in sections 793, 794, 795, 797, 798, 799, 800, 801, 802, and 803 of the Revised Statutes to the extent that said provisions may be applicable.

SECTION 9. To provide a fund to pay for said site and the construction and furnishing of said building or buildings, said board of county commissioners shall have the power to issue the bonds of said county to an amount not exceeding in the aggregate, the sum of one hundred thousand dollars, which bonds shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and shall be issued and sold as provided for in sections 871 and 872 of the Revised Statutes, and the act passed March 22nd, 1883, entitled, "an act to provide for the sale of public bonds" (80 O. L., 68); provided, however, that said bonds shall become due in ten years and redeemable in five years from their date. Said board of county commissioners shall, annually, at its June session, levy such amount of taxes on all the taxable property on the general tax duplicate of said county as will be sufficient to pay the interest on said bonds and to create a sinking fund to redeem the same at maturity.

SECTION 10. Before said armory commission is constituted, or any other step is taken under this act, the policy of purchasing such site and erecting and maintaining such armory shall be submitted to a vote of the electors of said county for their approval at the first annual election in said county held more than thirty days after the passage of this act; tickets voted at said election on which are printed the words: "Authority to issue \$100,000 of county bonds for armory—Yes" shall be counted in favor of said proposition, and tickets voted at said election on which are printed the words: "Authority to issue \$100,000 of county bonds for armory—No," shall be counted against said proposition; and tickets therefor shall be furnished and caused to be deposited at the polls at said election by said board of county commissioners at the expense of said county, and shall have printed thereon both the affirmative and negative vote; and said proposition shall be deemed and held to have been adopted at said election if it shall have received the affirmative vote of a majority of all the qualified electors voting at said general election, but otherwise it shall be deemed and held to have failed of adoption.

SECTION 11. This act shall take effect, and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
 266L

[House Bill No. 584.]

AN ACT

To authorize the board of education of the village of West Unity, Williams county, Ohio, to issue bonds for the purpose of putting new furnaces in the public school building and such other repairs as the board may direct.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of West Unity, Williams county, Ohio, is hereby authorized and empowered to issue bonds not to exceed (\$1,200) twelve hundred dollars, for the purpose of putting new furnaces in the public school building and such other repairs as the board may direct; said bonds shall be issued in such denominations and payable at such times, not exceeding three years, as said board of education may direct; said bonds shall bear interest at six per cent. interest payable annually, and shall not be sold for less than their par value; said bonds shall be signed by the president and secretary of the board of education.

SECTION 2. This act shall take effect on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
 267L

[House Bill No. 605.]

AN ACT

To authorize the village of Hilliard, Franklin county, to issue bonds for the purpose of improving the streets of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Hilliard, Franklin county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding one thousand dollars, bearing interest at a rate not exceeding seven per cent. per annum, for the purpose of providing funds to pay for improving the streets.

SECTION 2. Said bonds shall be payable at such a time, not exceeding eight years from the respective dates thereof, as said council may determine; they shall be in denominations of not less than fifty dollars and not more than two hundred dollars, as said council may direct, and shall be issued and sold according to law.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said village, not exceeding three mills on the dollar, in any one year, in addition to the taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of said county and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 15, 1890.
268L

[House Bill No. 612.]

AN ACT

To amend an act entitled "an act to authorize the use of a portion of the school fund of sub-district No. 5, of Walnut township, Gallia county, Ohio, for the purpose of having a German school taught in said sub-district," passed April 8th, 1880 (O. L. 77, 375).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to authorize the use of a portion of the school fund of sub-district No. 5, of Walnut township, Gallia county, Ohio," passed April 8th, 1880 (O. L. 77, v. 375), be so amended as to read as follows:

Sec. 1. That the directors of sub-school district No. 5, of Walnut township, Gallia county, Ohio, be and the same are hereby authorized and instructed to appropriate and pay one-half of the public money received each year for school purposes, for a German school, to be kept and held in the school house in said sub-district.

Sec. 2. This act shall take effect and remain in force for the period of twenty years from and after the 8th of April, 1880.

SECTION 2. That the above recited act, passed April 8th, 1880 (O. L.

77, v. 375), be and the same is hereby repealed; and this act shall be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
 269L

[House Bill No. 624.]

AN ACT

To authorize and empower the city of Wooster, Wayne county, Ohio, to borrow money and issue bonds to purchase or lease grounds and drill for gas or pipe gas as may be deemed necessary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Wooster, of Wayne county, Ohio, be and said council is hereby authorized and empowered to borrow money, issue the bonds of said city and sell the same not to exceed ten thousand dollars in amount, and to use the proceeds thereof in purchasing or leasing grounds and drilling a gas well or piping for same.

SECTION 2. Such bonds shall be in such sums and payable at such time or times, not exceeding ten years, as said council shall determine. The bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than the par value thereof; said bonds shall be signed by the mayor and countersigned by the clerk of said city, and shall be authenticated by the seal thereof, and a complete record of the same shall be kept by the clerk.

SECTION 3. For the payment of the bonds and the interest thereon, said council shall levy a tax, in addition to the amount otherwise authorized, every year during the period that the bonds have to run, sufficient in amount each year to pay the bonds falling due that year and the accruing interest thereon.

SECTION 4. Before any bonds are issued and tax levied, as provided by this act, the question of issuing the bonds shall be submitted to the qualified electors of said city, at an election to be held, at such time after the passage of this act as the council may determine, and the council of said city shall publish notice of the submission of such question in a newspaper published in said city for at least ten days prior to such election, stating the amount of bonds to be issued, the purpose for which they are issued, and the time and place of holding the election, and if a majority of the electors voting at such election upon the question of issuing the bonds, vote in favor thereof, then the bonds may be issued and the tax levied. Those in favor of the proposition shall have written or printed on their ballots the words "For the issue of bonds," and those voting against the same the words "Against the issue of bonds."

SECTION 5. No more of such bonds shall be issued or sold than is necessary for and required by the actual cost and expense of sinking such well or wells as may be required for the purpose named; they shall be sold from time to time, as is made necessary by the progress of the work and in such amounts as shall be required and made necessary by the progress and for the proper completion of the works, and all proceeds and

moneys arising from such bonds, shall be used exclusively for and applied to the payment of the necessary expense for the supply of gas for the purpose aforesaid.

SECTION 6. If a majority of the electors voting at said election [vote] in favor of said proposition, the council shall as soon as convenient advertise in at least two newspapers published in said county, for a period of not less than three weeks for sealed bids for the sale of said bonds and shall award the same to the highest bidder; provided, that said council may reserve the right to reject any or all bids, and in case of rejection may proceed to re-advertise and sell until a sale is effected as by this section.

SECTION 7. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
270L

[House Bill No. 743.]

AN ACT

To authorize the council of the city of Bucyrus, Ohio, to make a special levy for the purpose of paying the city's portion of certain street improvement bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Bucyrus, Ohio, be and the same is hereby authorized to make in addition to that now authorized by law a special levy, not exceeding two mills each year, upon the assessed valuation of the real and personal property in said city, for the purpose of paying said city's portion of certain street improvement bonds designated respectively as, Rensselaer, Warren, Lane, and South Sandusky street improvement bonds, which bonds said city, from its present maximum limit of taxation, is unable to pay at maturity.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
271L

[House Bill No. 760.]

AN ACT

To authorize the council of the village of Cedarville, Greene county, Ohio, to borrow money, and issue bonds therefor, for the purpose of defraying the expenses of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Cedarville, Greene county, Ohio, be and is hereby authorized to issue bonds, not exceeding in amount twelve

(\$1,200.00) hundred dollars, for the purpose of defraying the expenses of said village.

SECTION 2. Said bonds shall be signed by the mayor and countersigned and registered by the clerk of said village, and may be issued in denominations not less than one nor more than five hundred dollars, bearing interest not exceeding six per cent. per annum, payable semi-annually, and said bonds to run such length of time not exceeding ten years, and to come due in such installments as may be determined by said council. Said bonds and the interest thereon to be payable at such place as said council may direct.

SECTION 3. Said council is hereby authorized to levy a sufficient tax to meet any indebtedness incurred under this act.

SECTION 4. This act shall take effect, and be in force, from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
272L

[House Bill No. 768.]

AN ACT

To authorize the board of education of South Ridge special school district, Henry county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of South Ridge special school district, in Henry county, Ohio, be and is hereby authorized to borrow any sum of money not exceeding four thousand dollars (\$4,000.00), for the purpose of building and furnishing a school house in said special school district.

SECTION 2. For the purpose aforesaid, the said board is hereby authorized to issue bonds, not exceeding five hundred dollars (\$500.00) each, payable at any time within ten years and any place that said board may determine, and bearing interest at six per cent. per annum, payable annually. Said bonds shall be signed by the president and attested by the clerk of said board, which shall annually cause the necessary additional taxes to be levied to pay the interest on said bonds and to pay the principal thereof, as the same shall become due, in the manner provided by law for the levying and collection of taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
273L

[House Bill No. 779.]

AN ACT

To create a special school district for Corning and vicinity in Perry county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the following described territory to-wit: Beginning at the north-west corner of section sixteen (16), township twelve (12), range fourteen (14), of Perry county, Ohio, thence east along the section line 480 rods, thence north 80 rods, thence east 80 rods to the north-east corner of lands owned by Morgan Devore, thence south with Devore's line 80 rods, to the section line between sections ten (10), and fifteen (15) of said township and range, thence east along said section line 160 rods, to the north-east corner of lands owned by Fredrick Weaver, thence south 640 rods along the east line of lands owned by Fredrick Weaver, William H. Fisher, William Fisher and John Fisher, and thence through the lands of George Roberts, to a point on the section line between sections twenty-three (23) and twenty-six (26) of said township and range, thence west along said section line 880 rods to the half section line running north and south through sections twenty (20) and seventeen (17) township and range aforesaid, thence north along said half section line 480 rods to a point in the center of said section seventeen (17), thence north with the line of lands formerly owned by Edward Mooney deceased, 320 rods to the north-west corner of said lands, thence east along the north line of said lands, and the north line of the lands of Mabel Stotler deceased, 240 rods, to the section line between sections eight (8) and nine (9), township and range aforesaid, thence south along said section line, 160 rods to the place of beginning, shall be and the same is hereby created and declared to constitute a special school district.

SECTION 2. Within twenty days from the passage of this act, written or printed notices shall be posted in at least three of the most public places within said territory, signed by at least three resident electors of the same, requesting the qualified electors thereof to assemble on a day, at least five days from the day of posting, and at an hour and place designated in said notices then and there to elect a board of education of the said special school district. The electors assembled at the time and place designated in said notices, shall appoint a chairman and two clerks, who shall be judges of said election, which shall continue at least two hours, and shall not close before four o'clock p. m. and shall then choose by ballot six competent and judicious persons qualified electors thereof to serve as members of the board of education of the said special school district, two to serve for one year, two to serve for two years, and two to serve for three years, from the third Monday of April, A. D. 1890, and until the election and qualification of their successors, and on the second Monday of April of each year following the first election of the board of education, there shall be elected two members to serve for three years, and until their successors are elected and qualified.

SECTION 3. All the school property situate within said described territory, shall belong to and be the property of said special school district, and said school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for school house and incidental expenses in accordance with the enumeration of the year 1889, of children who are entitled to attend school; said funds including those now collected within the county or township treasury, and shall be governed by such

laws as now are or may hereafter be in force relating to special school districts.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
274L

[House Bill No. 701]

AN ACT

To authorize the school board of Archbold special school district, Archbold, Fulton county, Ohio, to issue bonds and borrow money to erect a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Archbold special school district, Archbold, Fulton county, Ohio, be and is hereby authorized to borrow sixteen thousand (\$16,000) dollars, to be applied to the payment of the expense incurred in erecting a school building, furnishing, purchasing heating apparatus, and purchasing a sight [site] therefor.

SECTION 2. That for the purpose aforesaid, the board is authorized to sell bonds to be signed by the president and countersigned by the clerk of said board in sums not to exceed one thousand (\$1,000) dollars bearing interest at a rate not to exceed six per cent. per annum, payable annually. Said bonds to be paid at such time or times not exceeding twenty years from the respective dates thereof as said board may determine. Said bonds shall not be sold for less than their par value, and that said board may have interest coupons attached.

SECTION 3. That for the purpose of paying such bonds and interest thereon as the same shall become due, the said board of education is authorized and empowered to annually levy a tax on all taxable property in said special school district, in addition to that now authorized by law sufficient to pay the same, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected, paid over to the treasurer of said school district.

SECTION 4. This act shall take effect, from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 15, 1890.
275L

[Senate Bill No. 180.]

AN ACT

Amending and supplementary to an act entitled "an act supplementary to an act entitled an act to provide for the erection of bridges over Mill creek and the Cincinnati, Hamilton and Dayton railroad in Hamilton county," passed April 3, 1889 (O. L., vol. 86, page 580).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following be and the same hereby is enacted as additional and supplementary to the act of April 3, 1889 (O. L., vol. 86, page 580):

SECTION 1. The board of county commissioners of Hamilton county, Ohio, is hereby authorized and empowered, and shall have full power, anything in any enactment to the contrary notwithstanding, to extend the improvement and approaches described in the act to which this is supplementary, eastwardly along Liberty street for a distance not exceeding four hundred and eighty (480) feet from the west line of Garrard avenue, and to modify the existing contracts accordingly, if necessary.

SECTION 2. That the cost of such extension shall be paid out of the proceeds of the sale of the bonds provided for in section 2 of the act of April 3, 1889, to which this act is supplementary, remaining after the improvement provided for in said act of 1889 shall have been paid for. Should the cost of this extension exceed the surplus now in said fund, no contract for such extension shall be made until the railroad company or companies using any portion of the lands over which said extension is contemplated shall have paid into said fund the amount of money required therefor in excess of said surplus.

SECTION 3. That before entering into any contract for making the extension herein authorized, the board of county commissioners shall give ten days' written notice to the owners of the property abutting upon said extension or to those persons in whose names it may be assessed upon the tax duplicate, who may be residents of the county, of its intention to make said extension. And any owner who shall not within ten days after the service of notice as aforesaid, file a claim in writing with said board of county commissioners, setting forth the amount of damages claimed to be sustained by reason of said extension, together with a general description of the property claimed to be injured, shall be deemed to have waived the same, and shall be barred from receiving damages. At the expiration of the time limited as aforesaid, for filing claims for damages, the board of county commissioners, if any such claims shall have been filed, shall by the county solicitor make written application to the court of common pleas for a jury, and the court shall direct the summoning of a jury in the manner provided in chapter 3, division 7, title 12 of the Revised Statutes to assess the actual damages, if any, to be sustained by reason of said extension, and the proceedings thereafter shall be conducted in accordance with and subject to the provisions of subdivision two, title 12, division 7, chapter 4 of the Revised Statutes as far as the same may be applicable. And any damages so assessed may be paid as part of the cost of such extension.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

276L

[Senate Bill No. 190.]

AN ACT

To authorize and direct the commissioners of Hamilton county to levy a tax to complete the improving of Crawfish creek road.

WHEREAS, An act passed May 18, 1886, authorized the commissioners of Hamilton county to levy a tax of two-sixths of a mill on the dollar.

to raise a fund to be applied to the grading, macadamizing and improving Crawfish creek road from Eastern avenue in the city of Cincinnati, northwardly to the intersection with Linwood road; and

WHEREAS, The fund so raised by said act was not sufficient to complete the improvement of said road, and that part of said road from Eastern avenue to a point near the intersection of Totten avenue still remains unimproved; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, in addition to their other powers of taxation, be and they are hereby authorized to levy and collect in the grand levy of taxes on the taxable property of said county, on the duplicate for the year 1890, a tax of one fifth ($\frac{1}{5}$) of a mill on the dollar; the fund so raised to be credited to the said Crawfish creek road, and that said road be improved in accordance with the plans and survey made by H. J. Stanley, city engineer, now on file in the engineer's department of the city of Cincinnati from its intersection with Eastern avenue to a point near its intersection with Totten avenue, where said road is improved. And provided further, that it shall be the duty of the board of public improvements of said city to superintend and complete the proper construction and improvement of said road, and that the fund hereby raised shall be expended by, and under the direction of said board of public improvements.

SECTION 2. The said board of public improvements may begin the construction of said Crawfish creek road, with full authority to contract for the same at any time after the passage of this bill.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

277L

[Senate Bill No. 201.]

AN ACT

To authorize the village of Waynesville and Wayne township, Warren county, Ohio, to unite in the purchase of a site and erect thereon a town hall in said village, and to issue bonds for the purpose of raising money therefor, and for other purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the incorporated village of Waynesville and Wayne township, in Warren county, Ohio, be and are hereby authorized to unite in purchase of a site and the erection thereon of a town hall in said village. Said hall to be owned by said village and township in such proportions as the council of said village and the board of trustees of said township may determine. And to meet the payments of the bonds and the interest thereon, herein-after authorized to be issued, to raise money for said purpose, said village and township be and are hereby respectively authorized to levy a tax yearly, so long as may be necessary, on the taxable property in each, not exceeding two mills on the dollar, to be collected as other taxes.

SECTION 2. The council of said village is hereby authorized to issue and sell, at not less than par, the bonds of said village, in any sum not exceeding nine thousand dollars, and in denominations not exceeding five hundred dollars, bearing interest not exceeding six per cent. per annum, payable semi annually, and said bonds to be payable at such places and at such times, not exceeding fifteen years from the date of issue, as said council may determine. And the trustees of said township are hereby authorized to issue and sell, in like manner, at not less than par, the bonds of said township, in any sum not exceeding nine thousand dollars, in denominations not exceeding five hundred dollars, bearing interest not exceeding six per cent. per annum, payable semi-annually, and said bonds to be payable at such places and at such times, not exceeding fifteen years from date of issue, as said trustees may determine; and the money arising from the sale of said bonds shall, so far as may be necessary, be used for the purpose of defraying the expenses for the purchase of said site and the erection of said town hall; and said bonds shall be issued and sold in all respects, as herein provided, according to law.

SECTION 3. The council of said village of Waynesville, and the trustees of said township are hereby authorized and empowered to unite with the Waynesville lodge No. 163, F. and A masons, and with such other societies or bodies now located at and holding their regular lodge meetings in said village of Waynesville, as may be desirable, in the purchase of said site and the erection of said hall, or to make such other terms of joint occupancy of said hall as may be agreed upon by the respective parties.

SECTION 4. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 278L

[Senate Bill No. 228.]

AN ACT

To authorize the city of Wellsville, Ohio, to borrow money and issue bonds for the same, to pay for street paving, and to contract for such paving.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Wellsville, Columbiana county, Ohio, is hereby authorized to borrow a sum of money not to exceed \$30,000, and issue the bonds of said city therefor, bearing interest at a rate not to exceed six per cent., redeemable at such times as council may by ordinance prescribe, not more than five years from the date thereof.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said city, and shall not be sold for less than their par value, and may be sold at such times, and in such amounts and denominations from time to time as will in the opinion of said council, best carry out the purpose for which they were issued.

SECTION 3. The proceeds of said bonds shall be used for the purpose of paying the part of the expense of paving Main street in said city, to be paid by general taxation, to-wit: The cost of paving all alley, street and

highway intersections, and also the one-half of the balance of the cost of paving said street from Third street to Eighteenth street.

SECTION 4. The council of said city is hereby authorized and empowered to proceed at once to contract for said paving, and it shall not be necessary that the money to pay for the same should be in the treasury of said city, nor that the clerk of said city should so certify, before said contract is entered into.

SECTION 5. If the bonds of said city be issued as hereinbefore provided, it shall be the duty of the council of said city, and said council is hereby authorized and required, annually thereafter, until the same and the interest thereon shall be paid, [to] levy a tax on all the taxable property of said city, sufficient to provide for the payment of said bonds, and the interest thereon as the same may become due and payable.

SECTION 6. No more of said bonds shall be issued than shall be necessary to procure sufficient money to pay said expense of paving.

SECTION 7. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 279L

[Senate Bill No. 237.]

AN ACT

To authorize the commissioners of Franklin county, Ohio, to construct a viaduct and approaches thereto, across railroad tracks on Leonard avenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county, Ohio, be and they are hereby authorized to build a viaduct at the intersection of Leonard avenue and the tracks of the Pan Handle and Baltimore & Ohio railroads, northeast of the city of Columbus, in said county, at a cost not to exceed the sum of forty thousand dollars; provided, that in the exercise of their powers and the performance of their duties in that behalf, said board of county commissioners shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses of constructing such viaduct, together with the approaches thereto, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county, Ohio, according to law, in sums of not less than one thousand dollars each, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of forty thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county, to pay said bonds as they may mature, and the interest thereon, at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 280L

[Senate Bill No. 269.]

AN ACT

To authorize the village of Fern Bank, Hamilton county, Ohio, to borrow money to build a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Fern Bank in Hamilton county, Ohio, be and is hereby authorized to borrow money, not exceeding twenty thousand dollars in amount, for the purpose of erecting a building containing a town hall and offices, as provided for in a gift of certain lots in said village from Charles W. Short; and the council of said village is hereby authorized to issue bonds for the money so borrowed, at such times and in such amounts as may be required, not exceeding twenty thousand dollars.

SECTION 2. Said bonds, as aforesaid authorized to be issued, shall be signed by the mayor of said village and countersigned by the village clerk, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and said bonds shall be of such denominations as the council may determine, the bonds of each denomination to be numbered consecutively, beginning with number one, and shall mature fifty years from date, but said village may reserve the right to call in and redeem, with accrued interest, said bonds, or any portion thereof, before their maturity if it so desires; and said bonds shall be sold as provided by law.

SECTION 3. For the payment of the interest and principal of said bonds, as the same shall become due, the council of said village is hereby authorized to levy a tax on all taxable property within the corporate limits of said [village] not exceeding seven mills on the dollar, annually, in addition to taxes now authorized by law, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 4. Before the council of said village shall have the right to issue said bonds, the question of the erection of such building shall be submitted to the qualified electors of said village at any annual municipal election, or at any special election held for that purpose, of which not less than ten days' notice shall be given in a newspaper of general circulation in said municipal corporation, and by posting copies of said notice at not less than five of the most public places in the corporation at least ten days before said election, and if two-thirds of the ballots cast at such election be in favor of such improvement, then, and not otherwise, shall the council of said village be authorized to issue said bonds hereinbefore provided for. Those voting in favor of the erection of such building shall have written or printed on their ballots the words, "Town hall—Yes;" and those voting against the erection of such building shall have written or printed on their ballots the words, "Town hall—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 281L

[House Bill No. 606.]

AN ACT

To detach certain lands lying and being within the corporate limits of the city of Findlay, in Findlay township, Hancock county, in the state of Ohio, and which are hereinafter described, from other lands in said city and township, and attach the same to other townships contiguous thereto in said county, pursuant to the written petitions and requests of a majority of the freehold electors owning and residing upon said lands so sought to be detached as aforesaid. The said lands being farm lands, and now used exclusively for farming, and not laid out into village or city in-lots or out-lots, and not platted or recorded as such.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the west half of the northeast quarter and the northeast quarter of the northeast quarter, and the northeast part of the east half of the northwest quarter of section thirty-one, containing about one hundred and fifty-nine and twenty-one one-hundredths[s] acres. And the east half of the southwest quarter of section thirty-two, except one acre in the southwest corner thereof, containing about seventy-nine acres of land. And the north half of the northeast quarter of section thirty-two, and containing eighty acres, more or less. And the south half of section twenty-nine (except one acre) and a part of the northwest quarter of section twenty-nine aforesaid. And the northeast quarter of the northwest quarter of section thirty-two, and containing in all about three hundred and eighty acres. And the south half of the southeast quarter of section thirty-two, containing eighty acres more or less. And twenty acres off of the south end of the southwest part of the southwest quarter of section thirty-two. And the south half of the south half of the southeast quarter of the southeast quarter of section thirty-one, containing about ten acres. And the west half of the southwest quarter of section thirty-one, containing eighty acres, more or less. And the northeast quarter of the southeast quarter of section thirty, containing forty acres. And the north half of the southeast quarter of the northeast quarter of section thirty-one, containing twenty acres. And seventy acres off of the west half of the northwest quarter of section twenty-nine, and thirty acres in the east half of the same quarter of the same section, and being one hundred acres. And the northeast quarter of section thirty, containing one hundred and sixty acres. And the south half of the east half of the northwest quarter of section thirty-two, containing forty acres. And a part of the northwest quarter and south part of northeast part of the northwest quarter of section thirty-one, containing one hundred and fifty-four and sixty-four hundredths acres. And the northwest part of the south half of the southwest quarter of section thirty-one, containing ten acres, and the southwest quarter of the northwest quarter of section thirty-one, containing thirty-nine and ten one-hundredths acres. And the south half of the southeast quarter of the northeast quarter of section thirty-one, containing twenty acres. And

the north half of the northeast quarter of the southeast quarter of section thirty-one, containing twenty acres. And the northeast quarter of the southeast quarter of section thirty-one, containing twenty acres. And the west half of the southwest quarter of section thirty-two, containing sixty acres. And the west half of the northeast quarter and the east half of the northwest quarter of section eight, containing one hundred and sixty acres, and a part of the north half of the southeast quarter of said section eight, containing about eighteen acres. And the west half of the northwest quarter of section thirty-two, containing eighty acres. And a part of the east half of the northeast quarter of said section eight, containing sixty acres, and a part of the east half of the northeast quarter of said section eight, containing twenty acres. And the south half of the northeast quarter of section thirty-two, containing eighty acres. And section five, and the east half of the east half of section six. And the west half of the southeast quarter of section thirty-one, containing eighty acres. And the north half of the northeast quarter of section thirty-two, containing eighty acres. And seventy acres of the west half of the northwest quarter of section twenty-nine, and thirty acres in the east half of the same quarter of the same section, containing one hundred acres in all. And the south part of the northwest quarter of section twenty-nine. And the northeast quarter of the southwest quarter of section thirty-two. And the north part of the west half of the southwest quarter of section thirty-two, containing sixty acres. And all of said section six not laid out into in-lots or out-lots and platted and recorded as such. And the east part of the east half of the northwest quarter of section eight, be and the same are hereby detached from the other lands in said city and township of Findlay and attached to the township of Marion, said Marion township lying and being in said county of Hancock and contiguous to said lands hereby detached from the lands in said city and township of Findlay, and attached to said Marion township, and made part thereof.

SECTION 2. *And be it further enacted by the General Assembly of the State of Ohio*, That the following lands situate and being in the city of Findlay, Hancock county, and state of Ohio, and which lands are farm lands, and now used as such exclusively, and not laid out into village or city in-lots or out-lots and not platted or recorded as such, and described as follows, to-wit: The north half of the northwest quarter of section two, in the city of Findlay and township of Findlay, as aforesaid. And the west half of the northeast quarter of section two. And the east half of the northeast quarter of section two. And the west half of the northwest quarter of section one. And the north part of the northeast quarter of section eleven, containing seventy-two acres. And the north half of the south half of the northeast quarter of section eleven. And the southwest quarter of section two. And the west half of the southeast quarter of said section two. And seventeen acres off of the southwest corner of the northeast quarter of section eleven. And the south half of the northwest quarter of section two. And thirty-one acres off of the southeast corner of the northwest quarter of section eleven. And sixty-eight acres of the southwest corner of the northwest quarter of section eleven. And seventy-four acres of land lying north of the Blanchard river and south of the Defiance state road in section eleven. And one hundred and two acres of land lying south of the Blanchard river and being a part of the southwest quarter of section eleven. And forty-eight acres of the north side of the northwest quarter of section fourteen. And the south part of the west half of the southwest quarter of section twenty-six and the west part of

the same tract of land, containing sixty-two acres. And the north half of the northwest quarter of section thirty-five, containing eighty acres. And the west half of the north half of the southwest quarter of section thirty-five and containing forty acres. And the south half of the northwest quarter of section thirty-five, containing eighty acres, and also the east part of the north half of the southwest quarter of said section thirty-five. And the west part of the northwest quarter of section twenty-three. And the north half of the southwest quarter of section twenty three, containing eighty acres. And the southwest quarter of section thirty-six, containing one hundred and sixty acres, and the south part of the southeast quarter of said section thirty-six, containing one hundred and twenty-six acres. And the north part of the southeast quarter of said section thirty-six, containing thirty-four acres. And the south part of the northwest quarter of said section thirty-six, containing sixty acres. And the north part of the northwest quarter of said section thirty-six, containing one hundred acres. And the southeast quarter of section thirty-five, containing one hundred and sixty acres. And the south half of the east half of the northeast quarter of said section thirty-five, containing forty acres. And the southwest quarter of section twenty-five, containing one hundred and sixty acres, and the east half of the southeast quarter of section twenty-six and containing eighty acres. And the west half of the southeast quarter of section twenty-six, and the east half of the southwest quarter of said section twenty-six. And the north half of the northeast quarter of section thirty-five, and the west half of the south half of the northeast quarter of said section thirty-five. And the south half of the southwest quarter of said section thirty-five. And a part of the northwest quarter of the northwest quarter of section eleven. And the northwest part of section fourteen, containing one hundred acres. And the south part of the west half of the southwest quarter of section thirteen. And the east part of the northwest quarter of section twenty-three. And the south half of the southeast quarter of the northwest quarter of section thirty-five. And lot 2E. x 2Z. Bonham estate, containing thirty-two acres in section eleven. And lot 2 in said Bonham estate in section eleven, being two acres, and lot three in same estate and section, and being in all thirty-eight acres. And the west part of the north half of the southwest quarter of said section eleven, and being about fifteen acres. And part of lot four of Bonham estate in section eleven, containing about seventeen acres. And the southwest part of section twenty-six. And the north part of lot four, Whitney estate, and part of the southwest fraction of the west half of the southwest fraction. Be and the same are hereby detached from the other lands in said city and township of Findlay, and attached to the township of Liberty, said Liberty township lying and being in said county of Hancock, and contiguous to said lands described in this second section of said act hereby detached from the lands in said city and township of Findlay, and described in this section, and hereby attached to said Liberty township and made part thereof.

SECTION 3. This act shall take effect and be in force, from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 16, 1890.
 283J.

[House Bill No. 621.]

AN ACT

To authorize the commissioners of Hamilton county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and the same are hereby authorized to transfer the sum of fifteen thousand (\$15,000) dollars, from the fund provided for the erection of bridges over Mill creek, and the Cincinnati, Hamilton and Dayton railroad, in Hamilton county, to the fund provided for the erection of a bridge across Mill creek at Colerain avenue, in the city of Cincinnati, for the purpose of completing the building of said bridge.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

284L

[House Bill No. 702.]

AN ACT

To authorize the trustees of Gorham township, Fulton county, Ohio, to increase the levy of said township for road purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Gorham township, Fulton county, be and are hereby authorized to increase the levy, one-half mill, in excess of the amount already authorized by law, upon each dollar valuation on the tax duplicate of said township for the term of three years, next ensuing, for the purpose of purchasing gravel for road improvement purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

285L

[House Bill No. 823.]

AN ACT

To authorize the commissioners of Gallia county, to levy a special tax for the purpose of providing a fund to meet the expenses incident to the celebration of the centennial year of the settlement of the Northwest territory at Gallipolis, Gallia county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Gallia county, Ohio, are hereby authorized to levy a tax not exceeding one-fourth ($\frac{1}{4}$) of one mill on the dollar, upon all the

taxable property in said county, for the purpose of creating a fund to defray the expenses which may be incurred by the county, in the proper observance of the one-hundredth anniversary of the county at Gallipolis.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

286L

[House Bill No. 828.]

AN ACT

To authorize the commissioners of Mahoning county to build a bridge across the Mahoning river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Mahoning county, be and they are hereby authorized and empowered to build a bridge across the Mahoning river, in the city of Youngstown, at or near the east end of east Federal street in said city, to the opposite bank of said river and to procure and construct the necessary approaches thereto. And for the purpose of building said bridge and procuring and constructing said approaches, said commissioners are hereby authorized and empowered to issue the bonds of said county, not to exceed sixty thousand dollars (\$60,000), in sums of not less than one hundred nor more than five hundred dollars each, and payable at such times as they may deem most advantageous, not exceeding seven years from the date of their issue, and to negotiate and sell the same, but the interest upon such bonds shall not exceed five per cent. per annum, nor shall they be sold for less than their par value.

SECTION 2. This act shall take effect from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 16, 1890.

287L

[Senate Bill No. 277.]

AN ACT

For the relief of John L. Kennedy, treasurer of Monroe township, Adams county, Ohio.

WHEREAS John L. Kennedy, as treasurer of Monroe township, in Adams county, it being a township not provided with a good fire and burglar proof safe, did as the law permits and with the consent of the trustees and board of education of said township, on and before the 19 day of August, A. D. 1889, deposit[ed] a part of the funds belonging to said township for the year 1889, in the bank of G. B. Grimes & Co. in the town of West Union, in the county of Adams and state of Ohio, to the amount, in the aggregate of \$453.45; and

WHEREAS, Said bank did on the 19th day of August, A. D. 1889, make an assignment for the benefit of their creditors, and their assets are

[House Bill No. 449.]

AN ACT

To authorize the council of Columbus to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of Columbus be and it is hereby authorized and empowered to transfer to the sewer fund of the sewer running from Main street, in Champion avenue, to Shelby street, thence west in Shelby street to the first alley east of Gilbert street, the several funds following, to-wit: The balance of the extension of the southeast sewer fund, amounting to five hundred eighty-six and 50-100 dollars; the balance of the southeast sewer fund, amounting to five thousand two hundred thirty-nine and 99-100 dollars; the balance of first alley west of Rose avenue sewer fund, amounting to four hundred fifty-seven and 87-100 dollars; the balance of the northeast sewer (sewer district No. 1) fund, amounting to thirty-eight and 40-100 dollars; the balance of the Spring street sewer fund, amounting to one hundred ninety-eight and 79-100 dollars; the balance of the Long street sewer fund, amounting to two thousand nine hundred five and 17-100 dollars; the balance of the extension of the northeast sewer fund, amounting to six hundred eighty and 28-100 dollars; the balance of the extension of the northwest sewer fund, when the said sewer has been completed; the balance of the Franklin park sewer fund, when the said sewer has been completed; the balance of the Randolph street sewer fund, amounting to five thousand two hundred sixty-one and 86-100 dollars; the balance of the Parsons avenue sewer fund, amounting to nine hundred and nine dollars; in all, the sum of ——— dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.

291L

[House Bill No. 719.]

AN ACT

To change the name of John A. Shoup to John Shaffer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the name of John A. Shoup a resident of Preble county, Ohio, be and the same is hereby changed to that of John Shaffer.

SECTION 2. That said change shall in no way effect [affect] the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.

292L

[House Bill No. 816.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Clermont county, Ohio, be and they are hereby authorized to transfer certain funds of said county as follows, to-wit: From bridge fund to county fund any sum not exceeding fifteen hundred dollars (\$1,500.00). From building fund to county fund any sum not exceeding ten thousand dollars (\$10,000.00). From repairs for free pike fund to infirmity fund any sum not exceeding six thousand dollars (\$6,000.00). From dog fund to construction free pike fund any sum not exceeding twenty-five hundred dollars (\$2,500.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 18, 1890.
293L

[House Bill No. 834.]

AN ACT

Supplemental to an act entitled: "An act to authorize the village of Ottawa, Putnam county, to borrow money and issue its bonds therefor for the purpose of sinking wells for natural gas, purchasing and laying pipe and supplying said village and the citizens thereof with natural gas for public and private use and consumption," passed and took effect April 3rd, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village of Ottawa, Putnam county, be and it is hereby authorized to issue its bonds for an amount not exceeding twenty-five thousand dollars, in addition to the amount heretofore authorized to be issued by the act of the general assembly of the state of Ohio, passed and took effect April 3rd, 1889, for the purpose of leasing or purchasing the necessary gas lands, sinking wells thereon for natural gas, purchasing and laying pipes and constructing the necessary buildings, fixtures and machinery necessary to supply said village and the citizens thereof, with natural gas for public and private use and consumption.

SECTION 2. Before such bonds or any of them shall be issued, the question of issuing the same, shall be submitted to a vote of the qualified electors of such village at a special election to be held at such time within one year from and after the passage of this act, as the council of such village shall appoint. The tickets voted shall have written or printed thereon the words: "Authority to issue gas bonds—Yes," or "Authority to issue gas bonds—No." If the proposition to issue gas bonds be approved by sixty per cent. of the votes cast at such election upon the proposition, the village shall have authority to issue such bonds for the purpose named and as provided in this act and the act to which this is supplemental.

SECTION 3. The council of such village at any time within one year

from the passage of this act, when in their opinion it is necessary for the purposes hereinbefore defined, shall publish notice of the submission of such question in some newspaper published in such village for at least ten days prior to such election and such election shall be held in all respects not otherwise herein provided as municipal elections are now required by law to be held in villages.

SECTION 4. Such bonds when authorized shall be issued in denominations, made payable, at such rate of interest, for the purposes, signed, countersigned, and sold, as provided for in the act to which this is supplemental, and the village council shall be governed in all respects by the provisions of this act and the act to which this is supplemental.

SECTION 5. All moneys arising from the sale of such bonds shall go into the corporation treasury and be paid out by the treasurer as other funds are and the corporation treasurer shall be entitled to receive one-half of one per cent. as his compensation for handling all moneys that come into his hands under the provisions of this act or the act to which this is supplemental, and shall be liable on his bond as such treasurer of such village for all moneys that come into his hands under the provisions of this act and the act to which this is supplementary.

SECTION 6. This act to take effect from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.

294L

[House Bill No. 837.]

AN ACT

To divide Dinsmore township, in the county of Shelby, state of Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Dinsmore, in the county of Shelby, state of Ohio, be and the same is hereby divided into two election precincts, as follows to-wit: Said division to be made on and along the pike known as the Kettlersville pike, running east and west through said township, said division line to extend directly east to township line from where said Kettlersville pike makes a turn south in the eastern portion of the township. And all of said township lying north of said division line, shall be designated and known as Botkins precinct, and the voting place shall be at the village of Botkins in said township. And all of said township lying south of said division line shall be designated and known as the Anna precinct, and the voting place shall be at the village of Anna, in said township.

SECTION 2. This act to take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 18, 1890.

295L

[House Bill No. 561.]

AN ACT

For the relief of A. Bringardner, J. J. Gordon, T. A. Moody, Jeff. Flowers, Henry Metzgar and B. F. Conkle, sureties on the official bond of James A. Biggs, late township treasurer of Jackson township, Perry county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That A. Bringardner, J. J. Gordon, T. A. Moody, Jeff. Flowers, Henry Metzgar, and B. F. Conkle, as sureties on the official bond of James A. Biggs, late township treasurer of Jackson township, Perry county, Ohio, be relieved from the payment of eight hundred dollars on said official bond. Provided that before said release shall be made, the question shall be submitted to the qualified voters of said township at a special or general election, ten days' notice of such submission having been given by the township clerk by notices posted in at least five of the most public places in the township. Those voting at said election in favor of such release shall have written or printed on their ballots the words "For release of sureties on official bond of James A. Biggs—Yes," and those voting against said proposition shall have written or printed on their ballots the words "For release of sureties on official bond of James A. Biggs—No." If a majority of those voting upon the proposition shall vote in favor of said release, then the trustees of the township shall release said sureties and certify their action to the county auditor.

SECTION 2. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 21, 1890.
296L

[House Bill No. 564.]

AN ACT

To provide for certain road improvements in Greene county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Greene county are hereby authorized and required to cause so much of the following described road: Beginning at a point in the Allen Barber pike, at or near the Orchard Grove school house, in Jefferson township; running thence southeast about $\frac{3}{4}$ of a mile, and terminating at the Greene and Clinton county line, near the residence of John Briggs, to be improved, when the necessary proceedings have been instituted therefor, as hereinafter provided. Seventy-five per centum of the cost and expense of such improvement to be borne by said county, and the residue to be levied or assessed upon the property or the lands benefited, and collected as hereinafter directed.

SECTION 2. Whenever the requisite steps by petition shall have been taken for the authorization and establishment of a free turnpike road out of said road, beginning at a point on the Allen Barber pike, at or near the Orchard Grove school house, in Jefferson township; running thence southeast about $\frac{3}{4}$ of a mile, and terminating at the Greene and Clinton county

line, which is hereby authorized in accordance with the provisions of chapter 7, title 7, of the Revised Statutes of Ohio, entitled one-mile assessment pikes (except as in this act otherwise provided), said county commissioners shall proceed to cause such free turnpike road or roads to be established and constructed in accordance with said provision, except that seventy-five per centum of the cost and expenses thereof shall be paid by said county as herein provided, and twenty-five per centum of the cost and expenses thereof only, shall be levied upon the lands and taxable property within the bounds of said roads so to be laid out and established, and all and singular of said provisions of said chapter shall be operative and in force, and shall be complied with so far as applicable, in all respects as to said improvement or improvements, with the exceptions aforesaid.

SECTION 3. Whenever a petition shall be presented to said county commissioners praying for the improvement of said road as described above, and a bond filed as prescribed in section 4831 of said Revised Statutes, said county commissioners shall proceed in accordance with chapter 8 of said title 7, of said Revised Statutes, entitled, "two mile assessment pikes," to cause the improvement prayed for to be made (except as herein otherwise provided), and all and singular the provision of said chapter 8 shall be operative and in force, and shall be complied with as to such improvement or improvements, which shall be made in accordance therewith, except that seventy-five per centum of the cost and expenses shall be borne by said county, as herein provided, and only twenty-five per centum thereof shall be assessed upon the lands assessable for the same; provided, that no land shall be subject to more than a single assessment in the aggregate for either or both said improvements, or for the same and any other like improvements provided for in the year 1890.

SECTION 4. For the purpose of providing money to meet said seventy-five per centum of the cost and expenses of said improvements when ordered, said county commissioners are authorized and directed, as the same are needed, to issue the bonds of said county, of the denominations of \$100.00, or multiple thereof, bearing interest not exceeding the rate of six per centum per annum, payable semi-annually, at the treasury of said county, and to sell the same to the best advantage, but not less than their par value, placing the proceeds in the county treasury. Such bonds shall have such time to run as that one-tenth of a mill to the dollar levy yearly on the grand duplicate of said county shall raise sufficient money to pay off the same with interest as it accrues. And said commissioners shall annually levy a tax on all the taxable property of said county, of one-tenth of a mill to the dollar, or so much thereof as shall be needed to redeem such bonds and pay the interest thereon, as the same may become due. The money so realized from said bonds shall be paid out of said treasury by orders of said commissioners on the warrant of the county auditor.

SECTION 5. This act shall take effect and be in force on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 21, 1890.

297L

[House Bill No. 609.]

AN ACT

To authorize the commissioners of Fairfield county to take possession of a turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Fairfield county are hereby authorized and empowered to take possession of the following graveled road, starting at the corporation line of the city of Lancaster in said county running southeast down the Hocking valley on the west side of the river to Sugar Grove in said county, and shall by order cause the said road to be entered on record as a free turnpike, and shall cause the same to be kept in repair as provided in chapter ten of the Revised Statutes of Ohio.

SECTION 2. This act shall take effect on and after its passage, and an amended act passed March 9th, 1887 (vol. 84, page 336), is hereby repealed.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MÂRQUIS,

President of the Senate.

Passed April 21, 1890.
298L

[House Bill No. 652.]

AN ACT

To authorize the commissioners of Pike county to build certain roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pike county, hereby are authorized, when in their judgment the best interests of the public require[s], and the resident land-owners along the route of road hereinafter named shall secure to the county the right of way, and all the earth, gravel and stone free of costs and expenses to the county, to construct a free turnpike road along the following route to-wit: Beginning at a point known as Brown's bridge one mile southeast of Piketon, Ohio, thence running as near as practicable on the road leading past Alfred Moore's farm to a point known as Shy's store.

SECTION 2. Said road shall not be more than sixty nor less than forty feet in width and shall be turnpiked with earth at least twenty feet in width, so as to drain freely to the sides, and raised with stone or gravel, or both, not less than twelve nor more than sixteen inches in depth, in such a manner as to secure an even and durable road, and the grade of ascent or descent shall in no case be greater than seven (7) degrees, and said road shall be provided with all necessary side-drains, water-ways, culverts and bridges.

SECTION 3. That for the purpose of building said road, and to obtain the money therefor the commissioners shall have the right, when they have determined to build said road, to issue the bonds of said county not to exceed fifteen hundred dollars to each mile determined by them to be built, and in such denominations as may be best, but not in denominations less than one hundred dollars, payable at such dates and times as the commissioners may deem best, to bear interest at a rate not greater than six per cent. payable semi-annually, and which bonds shall be sold according to law.

SECTION 4. That to pay said bonds and the interest thereon as the same may become due, said board of commissioners are hereby authorized to levy a tax not to exceed one mill on the dollar, annually, of the taxable property of said county.

SECTION 5. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 299L

[House Bill No. 735.]

AN ACT

To authorize the board of education of the village district of Glouster, Athens county, Ohio, to issue bonds to purchase grounds and erect thereon school buildings.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Glouster, Athens county, Ohio, be, and is hereby authorized to issue bonds in the sum of ten thousand (\$10,000) dollars, for the purpose of purchasing grounds and erecting thereon school buildings.

SECTION 2. This act shall take effect, and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 300L

[House Bill No. 792.]

AN ACT

To authorize the commissioners of Brown county, to construct a free turnpike in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to build and construct a good and sufficient turnpike on the Buford and Cynthiana road beginning at the Highland and Brown county line, near the residence of Charles E. Brown, thence west to the Clermont and Brown county line near the residence of L. D. Smith.

SECTION 2. Twenty per centum of the entire cost of the construction of said free turnpike shall be paid by a tax on all taxable property within one mile of said free turnpike, and eighty per centum of the entire costs of the construction of said free turnpike shall be paid by a tax on all the taxable property of the county.

SECTION 3. The said commissioners shall determine the time in which the said twenty per centum shall be paid, which shall not be less than five years nor more than ten, and an equal part of said twenty per centum, shall be levied and collected each year, and the said commission-

ers are authorized each year to make such levy upon all the taxable property within said taxing district, until the whole twenty per centum is fully paid, and they shall cause the same to be placed upon the tax duplicate and collected as other taxes, and they shall in like manner levy upon all the taxable property of the county the eighty per centum of the entire cost of said construction so that the same will be paid in not less than five years nor more than ten years.

SECTION 4. For the purpose of paying eighty per centum of the entire cost of the construction of said free turnpike road, the commissioners are hereby authorized to issue the bonds of the county bearing not to exceed six per cent. interest, payable at such times as the commissioners may determine, not exceeding ten years from the date thereof. Said bonds shall not be sold for less than their par value.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
301L

[House Bill No. 812.]

AN ACT

To authorize the trustees of New Lyme township, Ashtabula county, Ohio, to sell certain lands, and apply the proceeds of such sale to certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of New Lyme township, Ashtabula county, be and they are hereby authorized to sell and convey so much of the lands of the West cemetery, in New Lyme township, as in the judgment of said trustees are unfit for burial purposes.

SECTION 2. Said trustees shall apply all funds arising from said sale to the cemetery fund of said township.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
302L

[House Bill No. 813.]

AN ACT

To authorize the council of the incorporated village of Albany, Athens county, Ohio, to issue bonds for the purpose of improving the streets of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village of Albany, Athens county, Ohio, is hereby authorized to issue the bonds of said village in a sum not exceeding the sum of eight hundred (\$800 00) dollars, bearing interest at a rate not exceeding six per cent. per

SECTION 4. That to pay said bonds and the interest thereon as the same may become due, said board of commissioners are hereby authorized to levy a tax not to exceed one mill on the dollar, annually, of the taxable property of said county.

SECTION 5. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 299L

[House Bill No. 735.]

AN ACT

To authorize the board of education of the village district of Glouster, Athens county, Ohio, to issue bonds to purchase grounds and erect thereon school buildings.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Glouster, Athens county, Ohio, be, and is hereby authorized to issue bonds in the sum of ten thousand (\$10,000) dollars, for the purpose of purchasing grounds and erecting thereon school buildings.

SECTION 2. This act shall take effect, and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 300L

[House Bill No. 792.]

AN ACT

To authorize the commissioners of Brown county, to construct a free turnpike in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to build and construct a good and sufficient turnpike on the Buford and Cynthiana road beginning at the Highland and Brown county line, near the residence of Charles E. Brown, thence west to the Clermont and Brown county line near the residence of L. D. Smith.

SECTION 2. Twenty per centum of the entire cost of the construction of said free turnpike shall be paid by a tax on all taxable property within one mile of said free turnpike, and eighty per centum of the entire costs of the construction of said free turnpike shall be paid by a tax on all the taxable property of the county.

SECTION 3. The said commissioners shall determine the time in which the said twenty per centum shall be paid, which shall not be less than five years nor more than ten, and an equal part of said twenty per centum, shall be levied and collected each year, and the said commission-

ers are authorized each year to make such levy upon all the taxable property within said taxing district, until the whole twenty per centum is fully paid, and they shall cause the same to be placed upon the tax duplicate and collected as other taxes, and they shall in like manner levy upon all the taxable property of the county the eighty per centum of the entire cost of said construction so that the same will be paid in not less than five years nor more than ten years.

SECTION 4. For the purpose of paying eighty per centum of the entire cost of the construction of said free turnpike road, the commissioners are hereby authorized to issue the bonds of the county bearing not to exceed six per cent. interest, payable at such times as the commissioners may determine, not exceeding ten years from the date thereof. Said bonds shall not be sold for less than their par value.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
301L

[House Bill No. 812.]

AN ACT

To authorize the trustees of New Lyme township, Ashtabula county, Ohio, to sell certain lands, and apply the proceeds of such sale to certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of New Lyme township, Ashtabula county, be and they are hereby authorized to sell and convey so much of the lands of the West cemetery, in New Lyme township, as in the judgment of said trustees are unfit for burial purposes.

SECTION 2. Said trustees shall apply all funds arising from said sale to the cemetery fund of said township.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
302L

[House Bill No. 813.]

AN ACT

To authorize the council of the incorporated village of Albany, Athens county, Ohio, to issue bonds for the purpose of improving the streets of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village of Albany, Athens county, Ohio, is hereby authorized to issue the bonds of said village in a sum not exceeding the sum of eight hundred (\$800 00) dollars, bearing interest at a rate not exceeding six per cent. per

annum, payable semi-annually, and redeemable at a period not exceeding ten (10) years from date of issue. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall be made payable at such place or places as the council of said village shall by ordinance provide, and said bonds shall not be sold at less than their par value, and may be issued and sold at such times and places and in such amounts as the council of said village shall provide by ordinance.

SECTION 2. The money arising from the sale of such bonds shall be used by the council of said village for the purpose of grading and improving the streets of said village and for no other purpose whatever.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
303L

[House Bill No. 814.]

AN ACT

To divide Fairfield township, Butler county, into three election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* Fairfield township, Butler county, Ohio, be and the same is hereby divided into three voting precincts, as follows: All of that portion of said township lying north of the Miami and Erie canal, shall constitute a separate precinct, to be known as the northern precinct, with a voting place at the Butler county fair grounds; that sections fourteen, fifteen, sixteen and so much of seventeen as lies south of the Miami and Erie canal; sections twenty, twenty-one, twenty-two, and so much of twenty-three as lies south of the Miami and Erie canal; and sections twenty-six, twenty-seven, twenty-eight, and so much of twenty-nine as lies south of the Miami and Erie canal, shall constitute a separate precinct to be known as the southern precinct, with a voting place at Stockton; and all that part of said township not included in the precincts above described shall constitute a separate precinct to be known as the western precinct, with a voting place at Symmes' Corner.

SECTION 2. This act shall take effect and be in force upon and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
304L

[House Bill No. 817.]

AN ACT

To authorize the village school district of Felicity, Clermont county, Ohio, to issue and sell bonds, to pay off its present indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Felicity village school district in Clermont county, Ohio, be and it is hereby authorized to issue the bonds of said school district in any sum not exceeding eight hundred dollars, in denominations not exceeding four hundred dollars as the board of education of said district may determine, bearing interest at a rate not exceeding six per cent. per annum, payable annually, for the purpose of paying the indebtedness now existing against said school district.

SECTION 2. Said bonds shall be signed by the president of said board of education of said district, and countersigned by the clerk of said board and shall not sell for less than their par value and accrued interest, and may be sold at public or private sale. The principal shall be paid at such times as said board may determine by resolution within a period not exceeding two (2) years from the first day of September, 1890. And said board of education is hereby authorized to certify and levy a tax on the taxable property of said district, in addition to that now authorized by law sufficient to pay said bonds and the interest thereon, as the same becomes due.

SECTION 3. The funds realized from the sale of said bonds, shall be used for the payment of the debts now existing against said school district, and for no other purpose.

SECTION 4. Before said board of education of said district shall issue the bonds herein provided for, the proposition shall be submitted to the qualified electors of said district at any general or special election called for that purpose, at least ten days' notice being given of such election. The election shall be held at the usual place of holding elections in said school district, and said elections shall be held within thirty days from the passage of this act, and all electors favoring said proposition shall have written or printed on their ballots "Issue bonds to pay indebtedness — Yes," and those opposed, "Issue bonds to pay indebtedness — No;" and should a majority of the electors voting upon such proposition, vote "Yes," then said board of education may issue and sell said bonds and pay said indebtedness, as provided in this act.

SECTION 5. This act shall be in force, and take effect upon its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 21, 1890.

305L

[House Bill No. 822.]

AN ACT

To authorize the trustees of Parma township, Cuyahoga county, Ohio, to levy a tax for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Parma township, Cuyahoga county, Ohio, be and they are

hereby authorized to levy annually for not more than three years, a tax not to exceed one mill on each dollar of the assessed value of the taxable property of said township, for the purpose of improving and maintaining in good condition the cemeteries in said township, and building a public vault in the Parma cemetery, located on the Parma and Brooklyn plank road, and the said levy shall be returned by said trustees to the county auditor and placed upon the tax duplicate, to be collected as other taxes.

SECTION 2. That when said tax shall have been so collected and paid over to the treasurer of said township, it shall be expended for no other purpose than is provided for by this act, and such cemeteries as have duly qualified cemetery directors, the township trustees shall annually set off to said directors, such portion of the funds arising from said tax as shall be necessary to repair, maintain and build a vault as aforesaid in the cemetery or cemeteries over which the said directors have control, and said portions so set off shall be expended by them for such purposes, and they shall make such report thereof as is now provided by law.

SECTION 3. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
306L

[House Bill No. 824.]

AN ACT

To divide Oxford township, Guernsey county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the township of Oxford, in the county of Guernsey, state of Ohio, be and the same is hereby equally divided into two election precincts, as follows: That sections 1, 2, 3, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, and 18 shall constitute and be designated as Fairview precinct of said township; and that sections 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 35, and 36, shall constitute and be designated as Middletown precinct of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
307L

[House Bill No. 829.]

AN ACT

To change the name of Jacob Tschiembers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the name of Jacob Tschiembers, a resident of Youngstown, Mahoning

county, Ohio, be and the same is hereby changed to that of Jacob Chambers.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 808L

[House Bill No. 832.]

AN ACT

To authorize the trustees of York township, Medina county, Ohio, to issue bonds, sell the town hall, purchase a site, erect a new hall, and levy a tax to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of York township, Medina county, Ohio, be and are hereby authorized to issue the bonds of said township for a sum not exceeding three thousand dollars (\$3,000), payable within five years from the date of issue, bearing interest at a rate not exceeding six per cent. per annum, payable annually; and to sell the present town hall, and to use the proceeds of such bonds and sale, for the purchase of a site and the erection thereon of a town hall.

SECTION 2. For the purpose of paying said bonds and the interest as the same shall become due, said trustees are hereby authorized to levy sufficient taxes on all the property in said township in addition to all other taxes authorized by law.

SECTION 3. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 809L

[House Bill No. 835.]

AN ACT

To authorize the council of the incorporated village of Attica to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Attica, in the county of Seneca, is authorized to transfer the sum of seven hundred dollars (\$700) from the corporation fund of said village to the school fund of said village.

SECTION 2. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
 810L

[House Bill No. 842.]

AN ACT

To authorize the trustees of Center township, Wood county, Ohio, to issue bonds for the purchase of a site, and the erection of a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Center township, Wood county, Ohio, are hereby authorized to issue the bonds of said Center township for the sum of three thousand dollars, for the purchase of a site (if one is not donated) and the erection thereon of a soldiers' monument.

SECTION 2. The question of issuing said bonds shall be submitted to the voters of Center township, at a regular or special election, notice of which shall be given by the township trustees causing to be published in all the newspapers published in said township, for not less than ten days, notices of said election, setting forth the time and place where, and the purpose for which, such election will be held. The tickets used at such election shall have written or printed on them the words "Authority to issue bonds—Yes," or, "Authority to issue bonds—No." The trustees shall not be authorized to issue bonds for the purpose named in this act, unless a majority of such votes be in favor of the question.

SECTION 3. If a majority of votes shall favor the issue of bonds for the purpose named in this act, the trustees of said Center township shall levy a tax on all the taxable property of said township, and make a proper return of such levy to the auditor of Wood county, to be placed by him on the duplicate of said township and collected as other taxes. The levy shall be made at such a rate as to meet the payment of the bonds as they may fall due, with the interest accrued on the same, and may be made in three consecutive annual levies.

SECTION 4. Said bonds shall be issued in such amounts, and shall be made payable at such time and place, and shall bear such a rate of interest not to exceed six (6) per cent. as the trustees of said township may determine.

SECTION 5. Within thirty days after the result of the election, as provided for in section 2 of this act, shall be known, if the result be in favor of issuing such bonds, the trustees of Center township shall notify the county commissioners of such result, and on the receipt of such notice, the commissioners of Wood county shall proceed at their first regular meeting to appoint a committee of five (5) resident freeholders of Center township, three of whom shall be members, in good standing, of some grand army post. Said committee shall serve without compensation, and it shall be their duty to select site for such soldiers' monument, select design for the same, and superintend the construction of said monument. Said committee shall before entering upon their duties, make and execute to the trustees of Center township a bond in the sum of five thousand dollars (\$5,000) for the proper performance of the duties imposed upon them. Said committee shall have full control of the fund raised for this purpose under this act, and shall file with the trustees of Center township, annually, a statement of their expenditures for the purposes named in this act.

SECTION 6. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.

[House Bill No. 844.]

AN ACT

To authorize the city of East Liverpool, Columbiana county, Ohio, to borrow money and issue bonds therefor, for the purpose of refunding and paying the outstanding indebtedness, other than the sewer and water-works bonds, and to pay for improving certain roadways of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the city of East Liverpool, Columbiana county, Ohio, be and the same is hereby authorized to borrow money and issue the bonds of said city in any sum not exceeding ninety thousand dollars, and bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, for the purpose of paying the outstanding indebtedness, except the sewer and water-works bonds of said city, and to pay for the cost of paving and excavating and paving the intersections of the following named roadways of said city, to-wit: Walnut, Third, Union, Fourth, Fifth, Jefferson, Jackson, Monroe, Market, Washington, Forest, Robinson, Cook and College streets; also that part of Seventh street east of Franklin street, that part of Lincoln avenue south of Basil avenue, and for no other purpose or purposes whatever.

SECTION 2. Said bonds shall be made payable at such time or times, not exceeding thirty years from the date of issue thereof, and payable at such place or places as said council may determine; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually; they shall be in denominations of not less than five hundred dollars (\$500), and not more than one thousand dollars (\$1,000), and they may be issued for such amount, at any one time, as the council may, from time to time, deem proper and necessary. Said bonds shall be sold according to law, and for not less than their par value.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same may become due and payable, the said city council is hereby authorized to levy a tax on all taxable property of the city, not to exceed two mills on the dollar in any one year, in addition to the tax levy now authorized by law, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
312L

[House Bill No. 850.]

AN ACT

To authorize the county commissioners of Adams county, Ohio, to provide for the deficiency in the county funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Adams county, Ohio, for the purpose of meeting and providing for a deficiency, in the county funds of said county, arising from insufficient levies for county purposes, be and

are hereby authorized, to levy a tax for the years 1890, and 1891, not exceeding five-tenths of a mill on the dollar each year in addition to the levies now authorized by law on all the taxable property in said county.

SECTION 2. This act shall take effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed April 21, 1890.
313L

[House Bill No. 853.]

AN ACT

To authorize the trustees of Liberty township, in Van Wert county, Ohio, to levy taxes to improve public highways in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Liberty, in the county of Van Wert, in the state of Ohio, be and are hereby authorized to levy and assess upon the taxable property of their respective township, a tax not exceeding 4 mills in any one year, upon the dollar valuation of the taxable property of said township, in addition to other taxes authorized by law, for the purpose of improving, by macadamizing and graveling, the public highways in said township, as may be deemed expedient or necessary by the board of trustees of said township, and for no other purpose.

SECTION 2. That the taxes authorized to be levied shall be placed by the county auditor upon the taxable property of the township and collected by the county treasurer as other taxes, and when collected, shall be paid to the township treasurer of the township from which the same was collected, and be under the control of the township trustees thereof, for the purpose of improving, by macadamizing and graveling, the public highways.

SECTION 3. The board of trustees shall, upon the levy being made, designate the roads to be improved, which shall be, first, the main and leading roads of the township, and upon which the material can be most easily procured. The board of trustees, after having determined which roads are to be improved, shall examine such roads and ascertain if the proposed roads are sufficiently graded and drained, and if such be not the case, they may take to their assistance a competent surveyor or engineer, whose duty it shall be to make, under the direction of the board of trustees, a survey and level of the roads so selected, fix the grade of the road, and the grade and capacity of the drains on the sides thereof. The trustees shall cause to be constructed, all necessary culverts on such roads, fix the width of the graveled or macadamized track, not less than nine feet, nor more than sixteen feet, and the depth thereof not less than eight inches nor more than twelve inches, in the center and the slope from the center to the sides. The trustees may consolidate the road districts through which any such proposed road improvement passes, and direct the supervisors of such road district to work the two days' labor in such district in hauling the material, such as crushed stone, or gravel upon such road. The work of hauling the material upon the road in such road district shall be

under the supervision of the supervisor of such district, but be performed in such manner as shall be prescribed by the trustees.

SECTION 4. A majority of the board of trustees shall be necessary to order the said road improvement, and the work of the construction and the furnishing of the material, for such road improvement, shall be publicly let, excepting such work as may be done by the supervisors of the road district as herein provided. The contracts for material to be used in the construction of said road improvement and the contracts for hauling said material upon the roads, shall be let separately.

SECTION 5. The trustees, after having given public notice of the time and place of such letting, for at least two weeks, in a newspaper of general circulation in the township or county, or by hand bills, or both, at the discretion of the board of trustees, specifying the kind and quality of the material, and the part of the road upon which the same is to be used, shall let the same to the lowest bidder, who shall give bond to the acceptance of the trustees. The bids for the material and for the work of hauling the same shall be separately stated, and the trustees may reject any or all bids. The trustees shall examine and accept the work when completed, and ascertain the amount of material furnished under the provisions of this act, and if found in all respects correct, shall draw an order for the amount due for work, or for material furnished, upon the township treasurer, which shall be countersigned by the township clerk.

SECTION 6. The board of trustees may appoint one of their number, or some other suitable person, who shall oversee the work, and for services rendered under the provisions of this act, they shall be entitled to receive for each day actually employed, the sum of one dollar and fifty cents per day. And the trustees shall provide for the township clerk a suitable book in which there shall be kept a complete record of the business transacted under the provisions of this act, and it is hereby made his duty to keep a full and complete record of the action of the board of trustees under this act, and the township clerk, for making said record, shall be entitled to receive ten cents per hundred words, and for all other services such reasonable compensation as may be allowed by the board of trustees.

SECTION 7. The fees of the township officers, the engineer, and the person who may be appointed by the board of trustees under the provisions of this act, shall be paid out of the township road fund. But before any payments shall be made for services rendered under the provisions of this act, the person entitled thereto shall make out and file with the township clerk an itemized account of said services, whereupon the trustees shall, if they find the same correct, draw an order on the township treasurer, countersigned by the township clerk.

SECTION 8. The roads graveled or macadamized under the provisions of this act shall be free to the public travel, and shall be kept in repair by the trustees, out of the funds that come into the township treasury from the county treasurer, as provided for in section one thousand four hundred and fifty-nine (1459) of the Revised Statutes of Ohio.

SECTION 9. The question of levying said tax shall be submitted to a vote of the qualified electors of said township at the regular election to be held on the second Tuesday after the first Monday of November, A. D. 1890, at the usual place of holding elections in said township of which at least ten days' notice shall be given by posting notices in not less than five conspicuous places in said township and at such election the ballots to be voted shall have written or printed thereon the words: "Road

proceedings shall there be had as are provided in chapter 4, title 7, part second of the Revised Statutes of Ohio; but the guardian of any minor, idiot or insane person may act for his ward, and all his acts shall be binding upon said ward.

SECTION 5. The viewers shall estimate the expense of said improvement, and shall, upon actual view of the lots and lands to be charged therewith, apportion the estimated expense thereof upon said lots and lands, in proportion as nearly as may be, to the benefits which may result from said improvement to said lots and lands so assessed; and if any of the lands to be assessed are subject to a life estate, the assessment made thereon shall be apportioned between the owner of the life estate and the owner of the fee, in proportion to the relative value of the respective estate, such proportion to be ascertained upon the principles applicable to life annuities.

SECTION 6. Said viewers and surveyor shall make report in writing within a reasonable time, to be fixed by the commissioners, of all action taken by them, which report shall be filed and kept with the county commissioners for public inspection. Before adopting the assessment so made and reported, the said commissioners shall publish notice for three weeks consecutively, in some newspaper of general circulation in the county that such assessment has been made, and that the same is on file in the office of the commissioners for inspection, and if no objections are filed within two weeks after the expiration of said notice the commissioners may confirm the same. If the owner of any of the property assessed objects to the assessment so made he shall file his objection in writing with the said commissioners within two weeks after the expiration of the notice aforesaid, and thereupon the commissioners shall appoint three other disinterested freeholders to act as an equalizing board, who shall meet at the county commissioners' office at any time to be fixed by the county commissioners, with power to adjourn from time to time, who shall hear and determine all objections to said assessment, equalize the same, or approve the assessment already made, as they shall deem just. They shall report their action to said commissioners, who shall have power to confirm the same, or to set the same aside and cause a new equalizing board to be appointed, with like power and qualifications. When said assessment is confirmed by the county commissioners the same shall be final. The members of said assessing and equalizing boards shall, before entering upon their duties, take an oath before a proper officer to faithfully, honestly and impartially discharge their duties in making or equalizing said assessment, and in either case a majority of the board shall have power to determine any question or matter before them. The equalizing board, or any of its members, shall have power to administer oaths to witnesses, and said board shall hear any testimony for or against parties filing exceptions as aforesaid.

SECTION 7. For the purpose of raising the money necessary to meet the expense of the improvement, the commissioners of the county are hereby authorized and directed to issue bonds of the county, payable in installments or at intervals not exceeding in all the period of ten years, bearing interest at the rate not to exceed six per cent. per annum, payable semi-annually, which bonds shall not be sold for less than their par value; the assessment shall be divided in such manner as to meet the payment of principal and interest of the bonds, be placed upon the duplicate for taxation against the lands assessed, and collected in the same manner as other taxes, and when collected the money arising therefrom shall be

applied for no other purpose except for the payment of the bonds and interest. If it be ascertained by the county auditor that the assessments on land upon the duplicate are not sufficient to pay for the construction of said improvement, he shall add to the assessments, pro rata, the amount that the actual expense is found to be more than the assessments on the duplicate, and the additional assessments shall be placed upon the same duplicate with previous assessments for the construction of the improvement, and shall be collected in like manner.

SECTION 8. Any person interested in the appropriation of private lands for the construction of said improvement, may at any time after the confirmation of the assessment by the commissioners, or before or after application to the court, execute his bond payable to the state of Ohio, to be approved by the county commissioners and to be accepted by them, conditioned for the payment of all damages which may be assessed by the jury, and such bond shall be good in law; and if such bondsmen pay or deposit according to the order of the court, then the avenue and improvement herein provided for shall be opened, or the county commissioners may, at their discretion, make such payment or deposit and collect by law the amount of damages of such bondsmen, with or without costs, as the court may direct.

SECTION 9. The commissioners are hereby authorized and directed to begin forthwith the making of said improvement, with full authority to contract the same at any time after the passage of this act.

SECTION 10. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 22, 1890.

316L

[House Bill No. 563.]

AN ACT

To provide for certain road improvements in Greene county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of said Greene county are hereby authorized and required to cause so much of the Xenia and South Plymouth road as lies between the Greene and Fayette county line, and where said road intersects with the Bowersville and Jamestown pike in Greene county, being about four and one-half miles in length, to be improved when the necessary proceedings have been instituted therefor, as hereinafter provided. Seventy per centum of the cost and expense of such improvement to be borne by said county, and the residue to be levied or assessed upon the property or the lands benefited, and collected as hereinafter directed.

SECTION 2. Whenever the requisite steps, by petition, shall have been taken for the authorization and establishment of a free turnpike road out of said portion of said Xenia and South Plymouth road, in accordance with the provisions of chapter 7, title 7 of the Revised Statutes of Ohio, entitled one-mile assessment pikes (except as in this act otherwise provided). Said county commissioners shall proceed to cause such free

turnpike road or roads to be established and constructed in accordance with said provision, except that seventy per centum of the cost and expenses thereof shall be paid by said county as herein provided, and thirty per centum of the cost and expenses thereof only, shall be levied upon the lands and taxable property within the bounds of said roads so to be laid out and established, and all and singular of said provisions of said chapter shall be operative and in force, and shall be complied with so far as applicable, in all respects as to said improvement or improvements with the exceptions aforesaid.

SECTION 3. Whenever a petition shall be presented to said county commissioners, praying for the improvement of said portion of said Xenia and South Plymouth road, and a bond filed, as prescribed in section 4831 of said Revised Statutes, said county commissioners shall proceed in accordance with chapter 8 of said title 7 of said Revised Statutes, entitled, "two-mile assessment pikes," to cause the improvements prayed for to be made (except as herein otherwise provided), and all and singular the provision of said chapter 8 shall be operative and in force, and shall be complied with as to such improvement or improvements, which shall be made in accordance therewith, except that seventy per centum of the cost and expenses shall be borne by said county, as herein provided, and only thirty per centum thereof shall be assessed upon the lands assessable for the same; provided, that no land shall be subject to more than a single assessment in the aggregate for either or both said improvements, or for the same and any other like improvements provided for in the year 1890.

SECTION 4. For the purpose of providing money to meet said seventy per centum of the costs and expenses of said improvements when ordered, said county commissioners are authorized and directed, as the same are needed, to issue the bonds of said county, of the denominations of \$100.00, or multiple thereof, bearing interest not exceeding the rate of six per centum per annum, payable semi-annually, at the treasury of said county, and to sell the same to the best advantage, but not less than their par value, placing the proceeds in the county treasury. Such bonds shall have such time to run as that one-tenth of a mill to the dollar levy yearly on the grand duplicate of said county shall raise sufficient money to pay off the same with interest as it accrues. And said commissioners shall annually levy a tax on all the taxable property of said county, of one-tenth of a mill to the dollar, or so much thereof as shall be needed to redeem such bonds and pay the interest thereon, as the same may become due. The money so realized from said bonds shall be paid out of said treasury by orders of said commissioners on the warrant of the county auditor.

SECTION 5. This act shall take effect and be in force on its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate

Passed April 22, 1890.

317L

[House Bill No. 631.]

AN ACT

To authorize the commissioners of Belmont county, Ohio, to improve a certain road and provide for the payment of the cost thereof by a local tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Belmont county be and the same are hereby au-*

thorized, where a petition as hereinafter provided for shall have been presented therefor, to locate, grade and improve by macadamizing a line of road, beginning and ending as prayed for in said petition.

SECTION 2. In all things pertaining to said improvement and not herein provided for, the said county commissioners are to be governed by the provisions of chapter seven (7), title seven (7), of the Revised Statutes of Ohio, relating to free turnpike roads.

SECTION 3. To pay for the cost of constructing said road, the commissioners of the county are hereby authorized to issue and sell the bonds of the county, to be known as the Pipe Creek road bonds, in such denominations as they may determine, bearing interest not to exceed five (5) per cent., payable semi-annually, the bonds to be made payable in not more than twenty-five (25) years, and redeemable at the end of twelve (12) years from the date of issue at the office of the treasurer of said county, and not to be sold for less than their par value; and for the purpose of paying the interest on said bonds and the principal at maturity, the said county commissioners are authorized to make a sufficient levy as provided for in chapter 7, title 7, of the Revised Statutes upon all the taxable property in said road district in addition to all other taxes now authorized, at such a rate and in such manner within the limits of the statutes, as they may deem to the best interests of the persons paying the same, sufficient for the purpose of constructing said road as prayed for by the petition and paying all costs of the same and the principal and interest of said bonds within the time herein provided, according to the provisions of said title and chapter.

SECTION 4. When said road is completed the road commissioners shall establish a toll-gate, appoint a toll collector, fix a tariff of tolls and cause the same to be collected, and after deducting the expense of collecting the same all tolls shall be paid into the county treasury, to be placed to the credit of said road fund, and to be used first for the purpose of making necessary repairs on said road, and the surplus, if any, shall be applied to the payment of the interest of said bonds.

SECTION 5. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
318L

[House Bill No. 787.]

AN ACT

To authorize the commissioners of Sandusky county, Ohio, to purchase or appropriate a site upon which to erect a court house, a jail and sheriff's residence.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Sandusky county are hereby authorized to purchase or appropriate as provided by law a site for a county jail, sheriff's residence and a court house at a cost not to exceed forty thousand dollars.

SECTION 2. The commissioners of said county for the purpose of purchasing or appropriating said site, may borrow such sum or sums of

money, as they shall deem necessary, at a rate of interest not to exceed six per cent. per annum, and issue the bonds of the said county to secure the payment of the principal and interest thereof; such interest shall be paid semi annually, after date of issue, at the county treasury or in the city of New York, at the discretion of the county commissioners, and the principal shall be paid at such times as the commissioners prescribe within not exceeding ten years from the date of such indebtedness; said bonds shall be sold for not less than their par value, but the first payment of interest on said bonds shall be for such portion of the six months as shall have elapsed between the date of their issue and the time specified therein for the first payment of interest thereafter; the aggregate sum of the bonds so issued shall not exceed the amount fixed in the first section of this act.

SECTION 3. The bonds so issued shall be signed by the county commissioners, or any two of them, and countersigned by the county auditor, with coupons attached, in sums not less than one hundred dollars, nor more than one thousand dollars, each, payable to the bearer at the county treasury, or in the city of New York, at the discretion of the county commissioners, with interest as aforesaid, at such times as may be therein specified, not exceeding ten years after date, as the commissioners may prescribe, and such bonds shall specify distinctly the object for which they were issued, and the said commissioners are hereby invested with all the power that may be necessary to carry into effect fully and completely the provisions of this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.

319L

[House Bill No. 842]

AN ACT

To divide Lima township, Licking county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Lima, in the county of Licking, be and the same is hereby divided into two election precincts, as follows: The first shall be called the Pataskala voting precinct, and shall be composed of the territory comprising the eastern half of said Lima township, and shall be bounded and described as follows: Commencing at the northeast corner of said Lima township, No. (1,) of range 15, at a stone, thence running south on the east boundary line of said township 1 to the southeast corner of said township to a stone, thence running west on the south boundary line of said township 800 rods to a stone on said township section line, dividing said township equally; thence running north on said township section line 1600 rods to the north boundary line of said township, thence running east on the north boundary line of said township to the place of beginning, containing all the territory included within said boundary lines. The second precinct shall consist of the balance of the territory of said Lima township, Licking county, and shall be known as the Summit Station precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
320L

[House Bill No. 866.]

AN ACT

To provide for the election and appointment of members of the board of trustees of the Northwestern normal and collegiate institute.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the qualified electors of the incorporated village of Wauseon, Ohio, are empowered to elect by ballot under the laws governing municipal elections in the state of Ohio, seven trustees of the Northwestern normal and collegiate institute. Three of said trustees to serve for one year, two thereof for two years, and two thereof for three years. Said seven trustees shall be elected on the first Monday in April, 1891, and annually thereafter as their terms shall expire, their successors shall be elected by the qualified electors of said village.*

SECTION 2. Any vacancy occurring in said board of trustees of said Northwestern normal and collegiate institute on and before thirty days, first preceding the first Monday in April in any year, shall be filled by appointment by the mayor of said incorporated village of Wauseon, by and with the concurrence of a majority of the council thereof.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
321L

[House Bill No. 878.]

AN ACT

To authorize the council of the incorporated village of New Vienna to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of New Vienna, Clinton county, Ohio, be and is hereby authorized to transfer not to exceed \$600.00 from the police fund to the street and light funds.*

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
322L

[House Bill No. 879.]

AN ACT

To authorize the council of the incorporated village of Sabina, Clinton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Sabina, Clinton county, be and is hereby authorized to transfer not to exceed \$800.00 from the police fund to the street fund and not to exceed \$300.00 from the fire fund to the general fund.*

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
323L

[House Bill No. 882.]

AN ACT

To authorize the board of education of the city of Newark, Licking county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the city school district of Newark in the county of Licking, Ohio, be and is hereby authorized to borrow any sum not exceeding twelve thousand dollars (\$12,000), for the purpose of purchasing a site and erecting a school building thereon, as said board may direct and for the purpose of paying present indebtedness.*

SECTION 2. That for the purpose aforesaid the said board are hereby authorized to issue bonds, not exceeding twelve thousand dollars in amount, to be signed by the president and attested by the clerk of the board, in sums of not more than one thousand dollars, nor less than one hundred dollars, bearing interest at the rate of six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said board may determine; said bonds shall be sold for not less than their par value, and said board may, at their discretion, have coupons attached.

SECTION 3. Said board shall annually thereafter, cause the necessary taxes to be levied, to pay the interest on said bonds, and to pay the principal thereof, as the same shall become due, in the manner provided by law for levying and collecting taxes.

SECTION 4. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
324L

[House Bill No. 888.]

AN ACT

To authorize the commissioners of Union county, to pay for taxes recovered under the act of April 10, 1888.

WHEREAS, Marion Dockum made inquiries and furnished the auditor of Union county with facts whereby said county received the sum of \$398.97 as taxes from omitted property, which services were performed by said Dockum in good faith, but without complying with all the formal provisions of said act; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Union county are hereby authorized to pay to the said Marion Dockum, for said services, the sum of \$79.80, which is 20 per cent. of the amount received.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
325L

[House Bill No. 889.]

AN ACT

To amend section one (1) of an act entitled "an act to authorize the commissioners of Washington county, Ohio, to light certain bridges," passed February 7th, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one (1) of an act entitled, "an act to authorize the commissioners of Washington county, Ohio, to light certain bridges," passed February 7th, 1890 (H. B. No. 140), be amended so as to read as follows:

Sec. 1. That the county commissioners of Washington county, Ohio, be and are hereby authorized and required to light either of the free county bridges across the Muskingum river, within said county, located at the following points, to-wit: At Marietta, at Lowell, and at Beverly, when application therefor is made to them at any regular or special session, by petition signed by at least twelve freeholders of the county, stating therein, which of said bridges is asked to be lighted, which petitioners must reside in the vicinity of the bridge for which said application is made. Upon such application being made to them for the lighting of either of said bridges, the said commissioners shall have full power and authority to make all necessary arrangements and contracts for the lighting of any of said bridges, for the lighting of which application may be made, and to place thereon such light or lights, as they may deem necessary and proper for the convenience, safety and welfare of the public.

SECTION 2. Said original section one (1) is hereby repealed, and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 22, 1890.
326L

[House Bill No. 579.]

AN ACT

To authorize the commissioners of Adams county to build a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to-wit: Beginning at the Dunkinsville and Harshaville pike near Harsha's mill, thence through the lands of W. C. Duffey, Wm. Kneichtly, David Kerr, Wm. Smalley and A. Wallace, to the line between C. Plummer and John Flora, thence with said line to the road, thence by the most practicable road to the town of Newport.

SECTION 2. Said commissioners may in their discretion, order at once the building of said road, but before ordering said road built shall require donations of not less than twenty per centum of the estimated cost thereof and may issue bonds for the construction of the same bearing not more than six per cent. interest which shall not be sold for less than their par value and may levy a tax not exceeding two mills on the dollar annually, on all the taxable property of said county for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may at any regular or special session agree upon plans and specifications and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 24, 1890.

327L

[House Bill No. 623.]

AN ACT

To authorize the council of the city of Newark, Ohio, to issue bonds, and levy a tax, the money arising from the same to be used for the purpose of aiding and encouraging manufacturing establishments to locate in the said city of Newark.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the city of Newark, in the county of Licking, Ohio, be and the same is hereby authorized to issue the bonds of the said city, not exceeding \$60,000.00, as hereinafter provided, for the purpose following, to-wit: To purchase grounds and improve the same for manufacturing establishments that will locate in said city, and also in any other way that may be deemed expedient to aid and encourage said establishments.

SECTION 2. Said bonds shall be of such denominations, payable at such times, and bear interest at such rate per cent., not exceeding 6 per cent., payable semi-annually, as the council of said city may direct, but said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and the interest thereon as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said city, in addition to

that otherwise authorized by law, to such amount each year as shall be necessary to the payment of the principal and interest of said bonds.

SECTION 4. No part of said money shall be appropriated by the council of said city for the above purpose, unless the board of trade of said city first recommended such expenditure.

SECTION 5. Before the said council shall have authority to issue said bonds and levy said tax, the question of such issue and levy shall first be submitted to the voters of said city, at a regular or special election held for that purpose, such election shall be held in the same manner and at the places where elections are usually held in said city, notice thereof shall be given by publication in a newspaper printed and of general circulation in said city for two consecutive weeks prior to said election; those electors who favor the issue of such bonds and the levy of such tax shall have written or printed on their ballots the words, "Issue of bonds—Yes," and those who are opposed to such issue and levy shall have written or printed on their ballots the words, "Issue of bonds—No;" and if a majority of the votes cast at such election are in favor of the issue of such bonds, the council of said city shall be authorized to issue said bonds and make said levy for the purpose aforesaid.

SECTION 6. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 24, 1890.

328L

[House Bill No. 629.]

AN ACT

To authorize the commissioners of Meigs county, Ohio, to construct a system of permanent roads through the county, and to issue and sell the bonds of the county for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in order to provide ways and means for the needed improvement of the public roads of Meigs county, the commissioners of said county are hereby authorized and empowered to construct a system of permanent roads through the several townships of the county, the said roads to follow so far as practicable the several principal thoroughfares, commencing at the corporate limits of the city of Pomeroy and of the village of Middleport, in said Meigs county, and passing through all of the several townships of the county, and the said commissioners shall so locate and construct the said roads that as nearly as can be the several townships of the county shall each have an amount of money expended on the roads within its limits proportionate to the amount of taxes paid under this act by said townships, and the said commissioners may construct and repair the said roads commencing at the corporate limits of Pomeroy and of Middleport, and completing the said roads as they proceed through the townships, and prosecuting the work on all of said roads, at the same time in such manner as that the said system of roads shall be completed in the outlying townships within as nearly as practicable the same year, and the said commissioners may, using their discretion, construct the roads of such

material as may be found convenient to the different routes. When blocks of sandstone are so used, they shall not be less than fifteen inches in thickness, laid down in the rough, with a top dressing of gravel, such road bed not to be more than twenty feet in width, the remaining width of the road to be constructed of earth, and, where suitable, gravel or shale are found convenient to the said routes, the road bed may be made of either of them, not less than fifteen inches in thickness. Where limestone or other suitable hard stone is found, then the road may be made of such stone, broken or crushed, after the usual manner of making turnpikes. The improvements made on the roads under the provisions of this act shall be by said commissioners let to the lowest and best bidders, after four weeks' notice by said commissioners, published in at least two newspapers of general circulation in said county, said commissioners reserving to themselves the right to reject any and all bids, and in all cases where contracts are let under the provisions of this act, the commissioners shall require the contractor to give a good and sufficient bond for faithful performance of such contract, and the commissioners shall establish rules for the letting of such contracts, which rules shall be printed and posted in the offices of the auditor and treasurer of said county.

SECTION 2. Said commissioners, in case they decide to exercise the powers granted by the provisions of this act, shall, at their regular session next after the same shall have been ratified by a vote of the electors of said county, as hereinafter provided, by resolution, in the adoption of which all the members of the board shall concur, declare the necessity of borrowing an amount of money, not exceeding two hundred and fifty thousand dollars (\$250,000), for the purpose of repairing and constructing the roads of said Meigs county, under the provisions of this act, and that bonds of the said county for that sum in the aggregate shall be issued in accordance with the provisions of this act, and said resolutions shall also determine and specify the rate of interest which such bonds shall bear, not exceeding six per cent. per annum, and the several times when the principal of the same shall become due and payable, and the sums thereof due and payable at such times; provided, that the total sum of interest and principal to become payable in any one year shall not exceed twenty thousand dollars (\$20,000).

SECTION 3. Upon the adoption of said resolutions by the said commissioners, it shall be the duty of the auditor of said county to cause to be prepared suitable bonds of the county, in due form, made payable to bearer in not less than five years nor more than thirty years from the date thereof, and bearing interest at the rate of not more than six per cent. per annum, and of such denominations as the said commissioners may determine, to be numbered and signed by the commissioners, and each bond shall state on its face that the faith of the county is pledged for the payment thereof, principal and interest; provided, that before said bonds shall become binding or of any force or effect as an obligation of said county, or said commissioners shall have indorsed thereon a certificate signed by said auditor, and with the seal of his office affixed thereto, to the effect that such bond is one of a series of bonds issued under this act in pursuance of a resolution adopted by the commissioners of said county; and said bonds shall be registered by the said auditor in a book to be kept by him for that purpose, in such manner as to show when the same are severally sold, when payable, the amount for which the same are sold and when redeemed or destroyed.

SECTION 4. For the purpose of paying for the construction of said roads as the work progresses, and when completed, the said commissioners are hereby authorized and empowered to sell the said bonds of the county for not less than their par value, and they shall bear interest not exceeding six per cent. per annum, the interest payable semi-annually. Said sale of bonds by the commissioners shall be made by advertising for sealed bids for the same, to be received and opened by the said commissioners at certain specified dates, by publishing for thirty (30) days, in at least two newspapers published in said county, and in such other manner as they may deem advisable; provided, that not more than seventy-five thousand dollars (\$75,000) of said bonds shall be sold in any one year, and all money received from the sale of such bonds shall be paid into the treasury of said county, and shall be appropriated, paid and expended on the order of said commissioners from time to time, for the purpose of building, grading and improving the roads aforesaid, under the powers of said commissioners given by law, and for no other purpose. And it shall be the duty of said commissioners, annually, at their June session, after the issue and sale of any of the aforesaid bonds, to levy a tax on all the taxable property on the grand duplicate of Meigs county, in addition to the other levies authorized by law, sufficient to provide for the payment of the interest and principal of such bonds sold as aforesaid, to become payable in the next calendar year, and such taxes shall be levied and collected in the same manner as other taxes are levied and collected.

SECTION 5. The commissioners may, from time to time, employ competent engineers, surveyors or superintendents as may be necessary for the proper construction and improvement of said roads, at such rates of compensation as shall be fixed and determined by and between them before such employment. And the auditor of said county shall be paid such sum, annually, on the order of said commissioners, as they shall deem just and reasonable compensation for his services, under this act; and all such moneys so payable to said engineers, surveyors, superintendents and auditor, together with the expenses of issuing and selling the said bonds, shall be paid out of the road fund of said county; provided, that before the commissioners are authorized to exercise the powers conferred by this act, the question shall be submitted to a vote of the qualified electors of said county at the general election held in November, due notice of which shall be given by the auditor of the said county, for at least four weeks next preceding said election, by the publication of a notice of such election, and a reference to this act, in at least two newspapers published and of general circulation in said county. Those voting in favor of said proposition shall have written or printed on their ballots, "For road improvements—Yes;" and those opposed shall have written or printed on their ballots, "For road improvements—No;" and if a majority of the votes cast at said election are in favor of said road improvements, then it shall be lawful to make the same in manner as provided in this act. Returns of the votes so cast shall be made to the auditor of said county; provided, further, that in case the said proposition, so submitted to a vote of the electors at a general election, shall be rejected by a majority of those voting at said election, then the auditor of said county, with the consent and advice of the commissioners, shall, at a general election, again in manner as before, submit the question to a vote of the electors of said county; and in case a majority voting at any such general election shall vote in favor of the said road improvements, then the commissioners may proceed as hereinbefore provided, and construct said system of roads;

provided, that the said question shall not be submitted to a vote of the said electors more than once within one year.

SECTION 6. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.
329L

[House Bill No. 777.]

AN ACT

To authorize the trustees of any township in Ottawa county, Ohio, to unite in the erection of a soldiers' monument and levy a tax therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any township in Ottawa county, Ohio, may unite in the erection of a soldiers' monument.

SECTION 2. When two or more of such bodies unite for the purpose provided in the preceding section, the trustees of the several townships uniting shall each appoint a citizen of good standing to represent such township, in all matters relating to the erection of such monument. Such persons shall be known as the soldiers' monument committee and shall serve without compensation, and it shall be their duty to select a site for such monument, select design for the same and superintend the construction of such monument. Such monument shall be erected in a village located in the township having the largest number of voters. Meetings of such committee shall be called by the person representing the township having the largest number of voters and who shall be chairman of such committee.

SECTION 3. For the purpose of creating a fund for and paying the expenses of the erection of such monument the trustees of the several townships are hereby authorized and required to levy a tax on all property of their respective townships, as may be directed by said soldiers' monument committee, not exceeding in the aggregate five mills on the dollar, and not to exceed two mills on the dollar in any one year. The cost of such monument shall be borne by the several townships uniting, in proportion to the property of each, on the duplicate for taxation, and shall be paid out in same manner as other claims against townships.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.
330L

[House Bill No. 810.]

AN ACT

To authorize the commissioners of Adams county, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to-wit: Beginning at the Peebles and Tranquillity free turnpike and near Wright's blacksmith shop, thence via May Hill to the Highland county line at or near Geo. Siders', there intersecting the Loudon and Belfast pike.

SECTION 2. Said commissioners may in their discretion order at once the building of said road, but before ordering said road shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing not more than six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar annually, on all the taxable property of said county for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may at any regular or special session agree upon plans and specifications and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 24, 1890.
331L

[House Bill No. 689.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct certain free turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Clermont county, Ohio, be and they are hereby authorized to construct the following free turnpike roads:

First road. Beginning at the Milford and West Woodville free turnpike in the village of Edenton, thence running a northwest course on the Edenton and Pleasant Plain road, and along the lands of David Weaver, Silas V. Jordan, Truman Jordan, John Sutton; and along, and through the lands of John Ferris, intersecting the Pleasant Plain and New Boston free turnpike road.

Second road. Beginning at the intersection of the Lindale and Laurel free pike with the New Richmond and Nicholasville pike, near the residence of Sarah Light, thence in a southerly direction with the old road known as the Laurel road, as nearly as practicable to the Boat Run and Salt Air pike, at a point near the township house in Monroe township.

Third road. Beginning at the New Richmond and California turnpike at a point below the Pond Run bridge, where the county road inter-

sects said turnpike, thence along said county road on the west side of Pond Run creek, east through the lands of Louis Hausserman, Thomas F. Donham, John H. Case, Thomas Donaldson, F. M. Lindsey, Christopher Blehere, Fredrick Schunke, Chapman Archer, Nathaniel Donham and Jacob Clark, and intersect the Ten-mile and Lindale free pike, where the iron bridge crosses Ten-mile creek, near the residence of Charles Green in Pierce township.

Fourth road. Being part in Pierce, and part in Union townships, and known as the Hopper Hill road, beginning at the most practical point near where the said road leaves the Mt. Carmel, Tobasco and Nine-mile free turnpike, on lands of Hester Cary, passing north through lands of C. T. Bennett and on a line of Joanna Bennett, John Hesse, S. Durham and Hester Mattux, through lands of J. B. Ayre, on line of W. W. Ayre, George Shannon, Mrs. Hoeler, Stephen Durham and Reuben White, and intersecting the Ohio pike at the residence of John Harris, deceased.

Fifth road. Beginning at a point in the township road, at or near Franklin school house, and the farm house of S. M. Houser in Franklin township, thence in a northeasterly direction with the line of the old road, as near as practicable through the lands of S. M. Hauser, Almaretta and J. F. Hoover, M. L. Hendrixson, Ashta Dugan, Thomas Drake and Andrew Wise, terminating at or near the village of Cedron.

Sixth road. Commencing at or near the residence of G. M. Brown, running in a northwestern direction, the most direct and practical route through the lands of G. M. Brown, G. Dixon, H. McNeals, John Corbin, James Idlett, Louis Carnes, Mrs. Kilgore, C. Jones, Mrs. Jones, George McMurchy, A. Taylor, Mrs. Clark, L. Bushman, E. Bushman, Richard Corbin, T. M. Willis, F. E. Bittle, E. G. Cook and M. Mefford, following the old county road as nearly as practicable, and intersecting the New Richmond and Nicholsville free pike, at a point near the Franklin school house.

Seventh road. Beginning at a point where the road leading from Branch Hill bridge to Ward's Corner, is intersected, by the road leading south to Miamiville as hereinafter described, said point being opposite the property of Miles Johnson, thence following the present lines of said Miamiville road, in a southerly direction, through the lands formerly owned by Brower, Stabler, Brookfield and others, to the line of Henry Wische, thence west along Wische's land to the northwest corner, thence south along Wische's west line to a point where said road turns westward, thence west through the lands of M. Kugler to the lands of George W. Taft, thence through and along the lands of John Thompson, John Elliott, Buckingham, and others, through the village of Miamiville, to intersect with the Carmargo turnpike.

Eighth road. Beginning at the corner of two farms known as Dixon and Barkley farms extending north past Douglass school house, to a corner, thence due northwest, and thence due north, intersecting with the New Richmond and Bethel pike, at what is known as the Bettle farm.

Ninth road. Commencing near Williamsburg, where said road intersects pike leading from Williamsburg to New Boston, thence north with public road or as near thereto as practicable, terminating at Blowville and intersecting Jackson free pike.

Tenth road. Commencing at Olive Branch leaving Batavia toll pike near I. O. O. F. hall, thence along line of public road to Brazier, intersecting Batavia and Union township free turnpike, and C. G. & P. R. R.

at above named place, thence on same line, to the Ohio toll pike at blacksmith shop, near Amelia.

Eleventh road. Beginning at a point in the center of the Union and Mt. Carmel free pike, near the Nine-mile school house, following the line of road, leading to Withamsville, through the lands of Elizabeth Ward, Acenith Bennett, A. B. Jones, Peter Jones and others, intersecting the Bethel and Georgetown turnpike near the blacksmith shop of A. B. Jones.

Twelfth road. Beginning at a point in the Cincinnati and Chillicothe turnpike near the residence of E. C. Patchel, and in the line of the old Anderson state road, thence with the line of said Anderson state road, as near as practicable, through the lands of E. C. Patchel, Frederick Shobert, Thomas Thompson, deceased, J. Rosenberger, M. Shutter and others to Helpman's Corner on the Cincinnati, Batavia and Williamsburg turnpike, in Union township.

SECTION 2. That said county commissioners may if they deem it best, issue bonds for the construction of either or all of said roads, provided, that said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than par value, provided further, that said bonds may extend to such times as they can be met by a levy of three-tenths of one mill on the dollar, on the taxable property of the county.

SECTION 3. Said commissioners before proceeding to construct said road or roads, or any parts thereof shall require and secure from those interested in said improvements a subscription or donation equal in amount to twenty per centum of the cost of said improvements to aid in the construction of the same.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding three tenths of one mill on the dollar annually, on any and all taxable property in said county, in excess of taxes now authorized by law.

SECTION 5. That said commissioners may locate the said roads, upon the whole or any part of any county or township roads heretofore laid out, and established, and widen, alter, change or vacate the same, or any parts thereof, and shall have power to lay out, locate and survey such turnpikes, through any improved or unimproved lands and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio, for the appropriation of private property for public purposes, and the payment of compensation therefor.

SECTION 6. That a majority of said board of commissioners, shall at any regular session be necessary to agree upon specifications and order said improvements or any parts thereof. Provided further that in no case shall bonds be issued or a levy made in any one year to exceed one and one-half mills on the dollar on the taxable property of said county for the purpose of constructing free turnpike roads.

SECTION 7. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.

333L

[House Bill No. 899.]

AN ACT

To authorize the board of education of the village of Medina, Medina county, Ohio, to issue bonds to erect a school building and purchase a site therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village school district of Medina, in the county of Medina, state of Ohio, be, and it is hereby authorized, to borrow a sum of money not to exceed ten thousand dollars (\$10,000), to be applied to the expense to be incurred by said board of education in the erection of a school building or buildings in said village, and purchasing a site therefor.

SECTION 2. That, for the purpose aforesaid, the board of education of said village is authorized to issue and sell the bonds of said village school district, to be signed by the president and clerk of said board of education, said bonds to be for sums not to exceed \$500 each, each bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said board may determine; which bonds shall be sold for not less than their par value, and to be sold without compensation or commission, and said bonds may be made payable at any place to be designated in said bonds.

SECTION 3. That for the purpose of paying said bonds, and the interest thereon, as the same shall become due, the said board of education is authorized and empowered, annually, to levy a tax on all taxable property in said village school district of Medina, Ohio, not exceeding two (2) mills per annum, on the dollar valuation, which levy may, if it become necessary, be in addition to that now authorized by law for school purposes, and which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and, when collected, paid over to the treasurer of said village school district.

SECTION 4. That on Monday, June 9, 1890, A. D., between the hours of 6 a. m., and 6 p. m., of said day, at the usual place of holding elections in said village of Medina, there shall be held a special election, notice of which shall be given in the same manner as notice is required to be given of the election of a member of the board of education, and which shall be organized in the same manner that an election is organized for the election of a member of such board, and at which special election there shall be submitted to the qualified voters of said village school district the following question: "Shall school house be erected, and bonds issued therefor?" Those of the qualified electors of said village school district, voting at this election, who favor the erection of said school house, and a purchase of a site therefor, shall have written or printed on their ballots the words, "Shall school house be erected, and bonds issued therefor—Yes;" and those opposing the same, the words, "Shall school house be erected, and bonds issued therefor—No;" and if the majority of the ballots cast at said special election shall have written or printed the words, "Shall school house be erected, and bonds issued therefor—Yes," then this act shall be in force, but not otherwise.

SECTION 5. This act shall take effect from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.

[House Bill No. 902.]

AN ACT

To authorize the city of Canton, Ohio, to issue and sell bonds for the purpose of extending the water mains and improving the water supply of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the city of Canton, Ohio, be and the same is hereby authorized and empowered to issue and sell the bonds of the said city in the sum of thirty-five thousand dollars, bearing interest not exceeding six per centum, payable semi-annually, and of denominations not less than one thousand dollars each, made payable at such time or times as said council may prescribe, but not within less than ten nor more than twenty years from date of issue. Said bonds shall not be sold below par, and the proceeds derived therefrom shall be used for the purpose of extending the water mains and improving the water supply of said city.*

SECTION 2. For the purpose of paying said bonds and the interest thereon, as the same may become due, the council of said city is hereby authorized to levy a tax not exceeding one-half of one mill per annum, upon all the taxable property of said city, in addition to the amount otherwise allowed by law, to be collected as other taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.
335L

[House Bill No. 903.]

AN ACT

To authorize the board of education of the city of Canton, Ohio, to issue bonds for the purpose of purchasing sites, erecting and furnishing school buildings, and to levy a tax for the payment of same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the city of Canton, county of Stark, be and it is hereby authorized to borrow the sum of \$40,000.00 to be applied to the payment of the expense to be incurred in the erection and furnishing of school buildings in said city and purchasing sites therefor.*

SECTION 2. That for the purpose of meeting the expense aforesaid, the said board is authorized to issue bonds to be signed by the president and attested by the clerk of said board, in denominations of \$1,000.00 each, bearing interest at a rate not to exceed five per cent. per annum, payable semi-annually; said bonds to be payable at such time or times not exceeding twelve years from the respective dates thereof as said board may determine, which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission; and that said bonds may, in the discretion of said board, have interest coupons attached; and said bonds and interest coupons shall be made payable at the Chemical National bank, New York city.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said board of education is hereby authorized and empowered to levy on all the taxable property of the said school district a tax for such an amount annually not exceeding two mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes and when collected, paid over to the treasurer of said school district.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS, ~~SECRETARY~~
President pro tem. of the Senate.

Passed April 24, 1890.
336L

[House Bill No. 909.]

AN ACT

To change the name of Harrie Fallis to Harrie F. Goff.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Harrie Fallis be and the same is hereby changed to Harrie F. Goff.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
337L

[Senate Bill No. 56.]

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for improving, grading and macadamizing the Martin road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be, and they are hereby authorized to assess and collect upon the general levy of all the taxable property of said county a tax of one-sixteenth of one mill on each dollar valuation thereof, one-half of which shall be assessed and collected on the tax duplicate of 1890, and the remainder on the tax duplicate of 1891, for the purpose of improving the Martin road in Columbia township, beginning at its intersection with the Montgomery pike and extending southwardly to its intersection with Moore and Section streets, in the town of Madisonville.

SECTION 2. The money arising from said tax shall be applied under the direction of the commissioners of said county to grading, bridging, culverting and macadamizing said road.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
338L

[Senate Bill No. 254.]

AN ACT

To authorize the village council of the incorporated village of Caldwell, Noble county, to issue bonds for the purposes of fire protection, and improvement of the streets and highways.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Caldwell, Noble county, be and the same is hereby authorized to issue the bonds of said village in the sum not exceeding fifteen thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from date of issue, payable annually, for the purposes of providing fire protection, for improvement of the streets of said village and the highways leading therein.

SECTION 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk thereof; and said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council of said village, best subserve the sale thereof, and at such times and in such amounts as may be deemed necessary by said council for the proper progress of the work. The principal shall be payable at such times as the council of said village may determine by ordinance, within a period not exceeding twenty-five years.

SECTION 3. Said council is hereby authorized to levy a sufficient tax to meet any indebtedness incurred under this act.

SECTION 4. Before said bonds shall be issued, the question of issuing the same shall be submitted to the qualified voters of said village, at a special election to be called by the council. The clerk thereof shall give at least four weeks' notice of said special election by notices posted up in at least three conspicuous places in said village, and if two-thirds or more of the votes cast at said election are in favor of said issue, then it shall be lawful to make the same. The tickets for said election shall have written or printed thereon, if the issuing of said bonds is favored, the words: "For bonds—Yes;" if opposed, "For bonds—No."

SECTION 5. This act shall take effect and be in force on and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
339L

[Senate Bill No. 256.]

AN ACT

To provide for acquiring land and building an armory in the county of Lucas, for the use of the Ohio national guard, and to create a fund to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor shall appoint a board of trustees composed of five citizens of Lucas county, to erect, complete and furnish a new armory building for the use of the resident Ohio national guard in said county, and upon such lands as may be selected by the county commissioners and the inspector of armories, as provided for in section 3085 of the Revised Statutes, and said county commissioners are hereby authorized to acquire by purchase or condemnation suitable lands for an armory site. The aggregate amount to be expended therefor shall not exceed ten thousand dollars of the amount hereinafter provided for. Said trustees shall receive no compensation, but shall be entitled to be repaid their necessary expenses in attending to their duties. All vacancies in the office of trustees shall be filled in the same manner as the original appointment. Provided that said appointments shall not be made, or the bonds hereinafter provided for issued or sold, until the question of the issue and sale of said bonds shall have first been submitted to the qualified electors of said county, at a general or special election to be held for said purpose within one year from the date of the passage of this act; which said election shall be held and conducted in all respects as other elections are held, and of which at least 30 days' notice shall have been given by publication, providing for what purposes said election is held, in not less than two newspapers of opposite politics printed and of general circulation in said county; and further provided, that a majority of the votes cast at said election, shall be in favor of the issue and sale of such bonds. Those voting upon said proposition shall have written or printed upon their ballots, the words following, to-wit: Those voting in favor of such proposition "For the issue and sale of armory bonds—Yes," and those voting against such proposition, "For the issue and sale of armory bonds—No."

SECTION 2. That said board shall be known as "the board of Lucas county armory trustees," and shall appoint from their number a chairman, and shall hold regular meetings at such times and places as they may agree upon, and special meetings under such regulations as they may prescribe, and shall cause to be kept a full record of their proceedings.

SECTION 3. That said trustees shall have power to appoint a clerk, an architect, a superintendent and other necessary employes, fix their compensation, and adopt a suitable plan for such armory, subject to the approval of the inspector of armories, as provided for in section 3085 of the Revised Statutes, and to make all contracts for erecting, completing and furnishing the same; and no contract which they may enter into, or alteration or modification thereof, shall be valid until assented to at a regular or special meeting, and concurred in by a majority of the members, and such assent entered on the minutes of their proceedings.

SECTION 4. That no money shall be expended on account of said armory building unless first authorized by said trustees, and upon warrant signed by the chairman and clerk, to be paid by the county treasurer out of the fund hereinafter provided for; and no trustee or person holding any appointment from said board shall be interested, directly or indirectly, in any contract concerning said armory building.

SECTION 5. That said trustees shall, before entering into any contract in respect to said armory building, cause plans and specifications, detailed drawings, and forms of bids to be prepared, and when adopted by them, they may, at their discretion, cause the plans and drawings to be lithographed, and the specifications and forms of bids, contracts and bonds to be prepared, and have the same printed for distribution among the bidders.

SECTION 6. That all contracts shall be made in writing in the name of the board, for and on behalf of said county, and signed by the chairman and clerk of said board and by the contractor. When it becomes necessary, in the opinion of said board in the prosecution of the work, to make alterations and modifications in the contract, such alterations or modifications shall only be made by order of the board, and such orders shall be of no effect until the price to be paid for the work or materials under such altered or modified contract has been agreed upon in writing and signed by the contractor and the chairman and clerk of said board; and no contractor shall be allowed to recover anything for extra work or materials caused by any alteration or modification, unless an order is made or an agreement signed as aforesaid, nor shall he in any case be allowed to recover more for such work or materials than said agreed price.

SECTION 7. That if a contract, agreement or order made or authorized by said board be found to violate any of the provisions of this act, it shall at once become void and of no effect, and no money be paid or recovered for services rendered or material furnished thereunder.

SECTION 8. That said board shall not enter into any contract for work in the erection or completion of such armory building without first causing fifteen days' notice to be given in one or more newspapers of general circulation in such county, that sealed proposals will be received for doing the work or furnishing the materials; provided, that said board may procure plans therefor in the manner above indicated, and shall not be required to advertise for bids for making or printing the drawings, specifications and forms of bids, contracts and bonds.

SECTION 9. That each bid shall be accompanied with a bond, signed by sufficient sureties, for the acceptance of the contract if awarded by the board, or in case of a refusal by the bidder to enter into a contract according to his bid, within such reasonable time as the board may determine, said bond shall be put in suit, and the amount collected paid into the fund hereinafter mentioned.

SECTION 10. That all bids shall be enclosed in a sealed envelope and deposited with the clerk of said board; and such sealed envelope shall have indorsed thereon the nature of the same, and all bids shall be opened at a regular meeting of the board.

SECTION 11. That said board shall enter into contracts with the lowest and best bidder, upon his giving bond to the state of Ohio, for the use of Lucas county with such sureties as the board shall approve, that he will perform the work and furnish the materials in accordance with his contract, and on failure of such bidder, within a reasonable time, to be fixed by the board, to enter into bond with his sureties before provided, a contract may be made with the next lowest and best bidder, and so on until a contract is effected by a contractor giving bond as aforesaid; provided, that the board may let the work in whole or in part, and may reject any and all bids.

SECTION 12. To provide a fund to pay the cost and expense of lands acquired, and of the erection, completion and furnishing of said armory

building under this act, and to be called "the Lucas county land and armory construction fund," the commissioners of said county shall, forthwith, upon receiving orders from said board of trustees, certified by its chairman and clerk, and from time to time, and as often as said board think necessary, issue the bonds of such county to an amount not to exceed in the aggregate sixty thousand dollars (\$60,000). Said bonds shall be issued and bear interest at such rate not to exceed four and one-half per centum per annum, payable semi-annually, as such county commissioners shall determine, in the words and manner prescribed by sections 871 and 872 of the Revised Statutes, and the act passed March 22, 1883, entitled "an act providing for the sale of public bonds" (80 O. L., 68); provided, however, that said bonds shall be issued with coupons or registered, due in fifty years, and redeemable in thirty years from date.

SECTION 13. That the commissioners of said county shall annually, at their June session levy such amount of taxes as will pay the interest on such indebtedness and create a sinking fund sufficient to redeem the same at maturity, not exceeding for said sinking fund two per centum per annum on the total indebtedness. And if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy such taxes upon the taxable property of the county, and place the same upon the tax list; and all the taxes levied and collected under this act shall be applied to the specific object for which they are levied, and to no other. The money arising from the sale of said bonds shall be placed in the county treasury, to be called "the Lucas county land and armory construction fund," and all warrants drawn upon the treasury for payment out of said fund shall designate on the face "for purchase of land," or "for erection and completion," or "for furnishing," according as they are drawn for one purpose or the other. And if, upon the completion of the work, under the provisions of this act, an unexpended balance of the fund shall remain in the county treasury, such balance shall immediately be placed and kept to the credit of the sinking fund provided for by this act; and no part of said sinking fund shall be transferred or applied for any other purposes, but the same shall be invested and preserved in bonds of said county, of the state of Ohio, or the city of Toledo.

SECTION 14. That said trustees shall not be individually responsible to any contractor upon any contract made in pursuance of this act, nor to any person on any claims occasioned by an act or default of any person contracted with, or employed by, them in pursuance of this act. But any of said trustees may be removed summarily by the governor for misconduct in office or neglect of duty.

SECTION 15. That immediately upon the appointment and qualification of said trustees, the commissioners of said county shall deliver to said board of trustees the possession and control of any lands acquired by the county as an armory site, to be held by them until the completion of said armory building, when they shall surrender the same to said county commissioners, together with an itemized amount [account] of all receipts and expenditures made under this act, and transmit a copy of the same to the governor of Ohio.

SECTION 16. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 PERRY M. ADAMS,
President pro tem. of the Senate.

Passed April 24, 1890.
 340L

[Senate Bill No. 285.]

AN ACT

To authorize the commissioners of Hamilton county, Ohio, to levy a tax for improving Taylor avenue from Eastern avenue to Union avenue, in Cincinnati, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Hamilton county, in addition to their other powers of taxation, be and they are hereby authorized to assess and collect [in] the grand levy of taxes on all the taxable property of said county, a tax of three-tenths of one mill on the dollar for the year 1890, for the purpose of improving Taylor avenue, from Eastern avenue to Union avenue, in the city of Cincinnati, the fund arising therefrom to be applied to grading said avenue, to the grade established by the city of Cincinnati therefor, setting curbs and crossings, flagging and paving the gutters, macadamizing the roadway and constructing the necessary drains; said avenue to be improved to the full width of sixty (60) feet on the following line: From Eastern avenue northeast, as dedicated, south of and through Cottage Hill subdivision; thence northeast along the west boundary of Longworth's subdivision of Mount Tusculum, to the north line of the same; thence northeast and north to a point in Union avenue, about five hundred and eighty (580) feet west of the east line of section 25, Spencer township. And it is hereby made the duty of the treasurer of Hamilton county, so soon as said tax shall be collected, to turn the same over to the treasurer of the city of Cincinnati, to be used for said improvement, in the manner hereinafter provided.*

SECTION 2. *It shall be the duty of the board of public improvements of the city of Cincinnati to superintend and complete the proper construction and improvement of said avenue, and the fund hereby raised shall be expended by and under the direction of said board; and the fund raised from said levy shall not be diverted from the object for which the levy was authorized or transferred to the credit of any other fund, or used for any other purpose whatever, until said improvement of said avenue shall have been completed and paid for. And said board of public improvements is authorized and empowered to proceed in anticipation of the fund arising from said levy, to make the necessary contracts for carrying out said improvement; provided, that no such contract shall be entered into until the complete right of way for said avenue shall have first been secured, without any costs or expenses to the city of Cincinnati or county of Hamilton.*

SECTION 3. *This act shall take effect and be in force from and after its passage.*

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

341L

[Senate Bill No. 297.]

AN ACT

To provide for purchasing ground and erecting a public hall by the village of West Jefferson and the township of Jefferson, in Madison county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of West Jefferson, and the trustees of the town-*

ship of Jefferson, in Madison county, may meet in joint session or sessions at the council chamber, or other place in said village, and levy on all the taxable property in said village and township, a tax not exceeding eleven and seven-tenths mills on the dollar valuation of said property, for the purpose of purchasing or procuring grounds for, and erecting and fitting up a public hall in said village for the use of said village and township. The said tax may be collected in such semi-annual installments as said council and trustees shall determine.

SECTION 2. The said council and trustees shall provide plans and specifications to be filed in the office of the mayor of said village, and followed in letting the contract for said hall, and shall advertise in some newspaper published in said county and circulated in said village and township for bids or propositions to furnish materials for and construct said hall according to said plans and specifications, and the same shall be let to the lowest and best responsible bidder who shall, if his bid is accepted, execute a bond to said village and township, signed by himself and sureties acceptable to said council and trustees, in double the amount of his bid conditioned to pay all damages that may be sustained if the bidder shall fail to perform his contract.

SECTION 3. For the purpose of raising money in anticipation of the collection of said tax, the said council and trustees may issue the bonds of said village and township in such denominations as they desire and payable at any time not exceeding five years from their date, and bearing six per cent. interest payable semi-annually at the office of the treasurer of said county, out of the tax to be levied and collected as aforesaid. Said bonds shall be apportioned between said village and township in proportion to the tax to be collected from each, and the bonds of the village shall be signed by the mayor and clerk thereof, and the bonds of the township shall be signed by the trustees thereof, or a majority of them.

SECTION 4. The said hall when built shall be managed in the manner provided by law for public halls built by joint tax levied upon the taxable property of a village and township.

SECTION 5. This act shall take effect upon its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

342L

[Senate Bill No. 300.]

AN ACT

To authorize the council of the incorporated village of Leesburg, in the county of Highland, to issue bonds for street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Leesburg, Highland county, Ohio, be and it is hereby authorized to issue the bonds of said village in the sum not exceeding four thousand (\$4,000.00) dollars, in denominations of not less than one hundred nor more than five hundred dollars each, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable annually, or as the council may direct, the proceeds

of such bonds to be used for the purpose of improving the streets, alleys and sidewalks of said village.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk of said village, and shall not be sold for less than their par value. The principal shall be payable within ten years from the date of said bonds, as the council may determine, and the council of said village is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest as they become due.

SECTION 3. Said bonds shall not be issued nor a tax levied for the same until the question shall have first been submitted to the voters of said village of Leesburg, at a general or special election, of which at least ten days' notice shall be given by publication by printed or written notices of such election being posted in at least five (5) conspicuous places in said village; at said election all tickets used in voting upon this question of issuing bonds, shall have printed or written upon them the words, "Authority to issue bonds—Yes," or "Authority to issue bonds—No." No bonds shall be issued under this act unless a majority of such vote shall be in favor of the issue of such bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Passed April 24, 1890.

343L

[Senate Bill No. 78.]

AN ACT

To authorize the commissioners of Hamilton county to construct a certain avenue in Delhi township, to issue bonds to pay for same, and to assess a tax to redeem said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and they are hereby authorized to construct the following avenues: Commencing at the present terminus of the road known as Hill Side avenue, now completed to Anderson Ferry, in the township of Delhi, in said county; and thence running northwest three and six-sevenths miles, into the village of Delhi, there intersecting with the old North Bend road, running to Addyston, in said county.

SECTION 2. That in the location and construction of said avenue upon said route, the same shall be located and constructed so as to be above the highest water mark of the Ohio river. And the same shall be located at such a distance away from the railroads running along the Ohio river from Cincinnati, so as to make it practically safe for use in the driving of horses not accustomed to the noise and rapid motion of moving trains.

SECTION 3. That said avenue shall be opened and graded the full width of 25 feet, and shall be macadamized with broken limestone and gravel to the full width of 16 feet, and 12 inches deep.

SECTION 4. That said county commissioners of Hamilton county shall pay for the construction of said avenue, including the assessed value of any property that may be condemned for the right of way of said ave-

nue, in the bonds of the county, which bonds said commissioners shall issue, payable at such times as they may deem best, not exceeding five years from date. Said bonds to bear interest not exceeding four per centum per annum, payable annually, and shall not be sold for less than their par value; provided, further, that not more than twenty per centum of the cost of said improvement shall be assessed in any one year.

SECTION 5. That for the purpose of paying the interest on said bonds and to provide a sinking fund for the final redemption of the same, the said county commissioners are hereby authorized and directed to levy upon the taxable property of said county a tax not exceeding two-tenths of one mill on the dollar in any one year.

SECTION 6. That said avenue shall be located and constructed under the supervision of a competent engineer, to be appointed by the said county commissioners, and who shall receive such pay for his services out of the fund herein above authorized to be levied, as said county commissioners may deem reasonable and just.

SECTION 7. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 25, 1890.

344L

[Senate Bill No. 311.]

AN ACT

To authorize the commissioners of Madison county, and the council of the village of London in said county to make appropriations for the agricultural society.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Madison county are hereby authorized to appropriate for five years an annual sum, not to exceed two thousand (\$2,000.00) dollars each year, from the county fund of said county, for the purpose of purchasing or leasing additional fair grounds to that now owned by the agricultural society of said county, and improving said grounds. The money so appropriated shall be paid on the orders of the board of directors of said agricultural society certified by the president and secretary thereof. If there shall not be sufficient funds that can be so appropriated, then said commissioners are hereby empowered to issue and sell the bonds of said county, not to exceed said amount, and levy a tax upon the duplicates of said county sufficient to raise the money necessary to pay said bonds and interest.

SECTION 2. That the council of the village of London, in Madison county, is hereby authorized to appropriate from the general fund of said village, annually for five years, not to exceed five hundred (\$500.00) dollars each year, and pay the same to the treasurer of the Madison county agricultural society, for the purpose of aiding in the purchase or leasing of additional fair grounds to that now owned by said society in said village, and improving said grounds. If there is [are] not sufficient funds in any of said years from which said appropriation can be made said village council is hereby empowered to levy a tax on the taxable property of said village

sufficient to raise said sum, which shall be collected as other taxes and shall not exceed five hundred (\$500.00) dollars annually for each of said five years.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
345L

[Senate Bill No. 312.]

AN ACT

To authorize the council of the village of Coshocton, Coshocton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Coshocton, Coshocton county, Ohio, be and is hereby authorized to transfer the sum of one thousand dollars from the police fund to the street fund; also to transfer the sum of one thousand dollars from the police fund to the paving fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
346L

[House Bill No. 475.]

AN ACT

To authorize the county commissioners of Hamilton county to improve Miami avenue and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Hamilton county are hereby authorized to improve as herein provided an avenue to be known as Miami avenue, lying in Sycamore and Columbia townships, running from the Montgomery pike to the Camargo road on the line between sections two (2) and eight (8) and sections one (1) and seven (7) Sycamore township, and sections six (6) and twelve (12), Columbia township, a distance of about 9100 feet.

SECTION 2. To facilitate the execution of the preceding section, the said commissioners should they determine to make such improvement shall appoint three freeholders of said county, as trustees, to view, survey and supervise said improvement.

SECTION 3. The said trustees shall establish the grade of said avenue, estimate the cost of improving the same by grading the roadway to a width of 36 feet, macadamizing same with broken stone 12 inches deep, and gravel thereon 3 inches deep, and constructing the necessary bridges

and culverts and employ an engineer in so doing, and report the same to the said commissioners, together with all expenses of every kind incurred in connection therewith.

SECTION 4. When the report of the trustees, as provided in the preceding section, is filed with the county commissioners, they shall at once advertise for bids for ten consecutive days in a newspaper of general circulation in said county, for improving said Miami avenue, between the points named, by so grading, macadamizing and constructing the necessary bridges and culverts, and said commissioners shall award the contract to the lowest and best bidder. The improvements shall be made under the supervision of the said trustees, who shall report from time to time to said commissioners for their approval, and all the proceedings of the trustees herein provided for shall be subject to the approval of the said county commissioners, who are hereby given exclusive and complete jurisdiction of the improvement and levy provided for herein.

SECTION 5. The said commissioners, in addition to their other powers of taxation, are hereby authorized to levy and collect in the grand levy or taxes on the taxable property of said county, on the duplicate for the year 1890, a tax of one-twentieth of a mill on the dollar; for 1891, one-twentieth of a mill; the fund to be credited to the "Miami avenue fund," and to be exclusively applied to the improvement of said avenue as herein provided; and no part of said fund to be transferred to any other fund.

SECTION 6. The said county commissioners may begin the construction of the said Miami avenue with full authority to contract for same at any time from and after the passage of this bill in anticipation of said levy.

SECTION 7. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
347L

[House Bill No. 872.]

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to issue bonds for grading, macadamizing, and improving the county road in Mill Creek and Columbia townships, known and designated on the county plat as the Duck Creek road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and are hereby authorized to assess and collect upon the grand levy of the taxable property of said county, a tax of one-tenth of one mill on the dollar, one-half of which shall be assessed and collected on the tax duplicate of 1890, and the remainder on the tax duplicate of 1891, and be applied to the grading, macadamizing and improving the said county road in Mill Creek and Columbia townships, as surveyed and established by the commissioners of Hamilton county, commencing on the easterly side of the Montgomery turnpike; thence running by devious courses, eastwardly and north-erly to the county road in Columbia township known and designated on

the plat-book of said county as the Lester road, provided that the amount thus to be expended shall not exceed twenty thousand dollars (\$20,000.00); and any balance remaining to the credit of said fund, raised under the provisions of this act, after the completion of said improvement shall be reserved by said commissioners for the benefit of said road.

SECTION 2. That for the purpose of raising money to defray the expenses of grading, macadamizing and improving said road, the said commissioners are hereby authorized to issue bonds of said Hamilton county, at not less than par value, in sums of not less than five hundred dollars (\$500.00) each bearing interest at a rate not to exceed five per centum per annum, payable semi-annually not to exceed, in the aggregate, the sum to be assessed and collected, as indicated in section one of this act. Said bonds to be negotiable and payable within ten years (10) of the date of issue.

SECTION 3. Said bonds shall be signed by the county commissioners, and countersigned by the auditor of Hamilton county, who shall keep a record of all bonds under and by virtue of this act, to whom issued and made payable, and when redeemable.

SECTION 4. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.

348L

[House Bill No. 901.]

AN ACT

To divide Bucks township, Tuscarawas county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Bucks township, Tuscarawas county, Ohio, be divided into two election precincts, and said two election precincts shall be known as east and west precincts, of said township, and shall be divided by the following line to-wit: Beginning at southwest corner of Auburn township of said county, thence south to middle of section line between sections seventeen (17) and eighteen (18); thence west to center of section seventeen (17), thence south to middle of south section line of section twenty-four (24).

SECTION 2. This act shall take effect and be in full force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.

349L

and culverts and employ an engineer in so doing, and report the same to the said commissioners, together with all expenses of every kind incurred in connection therewith.

SECTION 4. When the report of the trustees, as provided in the preceding section, is filed with the county commissioners, they shall at once advertise for bids for ten consecutive days in a newspaper of general circulation in said county, for improving said Miami avenue, between the points named, by so grading, macadamizing and constructing the necessary bridges and culverts, and said commissioners shall award the contract to the lowest and best bidder. The improvements shall be made under the supervision of the said trustees, who shall report from time to time to said commissioners for their approval, and all the proceedings of the trustees herein provided for shall be subject to the approval of the said county commissioners, who are hereby given exclusive and complete jurisdiction of the improvement and levy provided for herein.

SECTION 5. The said commissioners, in addition to their other powers of taxation, are hereby authorized to levy and collect in the grand levy of taxes on the taxable property of said county, on the duplicate for the year 1890, a tax of one-twentieth of a mill on the dollar; for 1891, one-twentieth of a mill; the fund to be credited to the "Miami avenue fund," and to be exclusively applied to the improvement of said avenue as herein provided: and no part of said fund to be transferred to any other fund.

SECTION 6. The said county commissioners may begin the construction of the said Miami avenue with full authority to contract for same at any time from and after the passage of this bill in anticipation of said levy.

SECTION 7. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 25, 1890.

347L

[House Bill No. 872.]

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to issue bonds for grading, macadamizing, and improving the county road in Mill Creek and Columbia townships, known and designated on the county plat as the Duck Creek road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and are hereby authorized to assess and collect upon the grand levy of the taxable property of said county, a tax of one-tenth of one mill on the dollar, one-half of which shall be assessed and collected on the tax duplicate of 1890, and the remainder on the tax duplicate of 1891, and be applied to the grading, macadamizing and improving the said county road in Mill Creek and Columbia townships, as surveyed and established by the commissioners of Hamilton county, commencing on the easterly side of the Montgomery turnpike; thence running by devious courses, eastwardly and north-erly to the county road in Columbia township known and designated on

sufficient to raise said sum, which shall be collected as other taxes and shall not exceed five hundred (\$500.00) dollars annually for each of said five years.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
345L

[Senate Bill No. 312.]

AN ACT

To authorize the council of the village of Coshocton, Coshocton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Coshocton, Coshocton county, Ohio, be and is hereby authorized to transfer the sum of one thousand dollars from the police fund to the street fund; also to transfer the sum of one thousand dollars from the police fund to the paving fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 25, 1890.
346L

[House Bill No. 475.]

AN ACT

To authorize the county commissioners of Hamilton county to improve Miami avenue and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Hamilton county are hereby authorized to improve as herein provided an avenue to be known as Miami avenue, lying in Sycamore and Columbia townships, running from the Montgomery pike to the Camargo road on the line between sections two (2) and eight (8) and sections one (1) and seven (7) Sycamore township, and sections six (6) and twelve (12), Columbia township, a distance of about 9100 feet.

SECTION 2. To facilitate the execution of the preceding section, the said commissioners should they determine to make such improvement shall appoint three freeholders of said county, as trustees, to view, survey and supervise said improvement.

SECTION 3. The said trustees shall establish the grade of said avenue, estimate the cost of improving the same by grading the roadway to a width of 36 feet, macadamizing same with broken stone 12 inches deep, and gravel thereon 3 inches deep, and constructing the necessary bridges

[House Bill No. 904.]

AN ACT

To authorize the incorporated village of Willshire, Van Wert county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Willshire, Van Wert county, Ohio, be and the same are hereby authorized to transfer one thousand dollars (\$1,000), from the sewer fund, two hundred and sixty dollars, and thirty cents (\$260 30), from the general fund, and two hundred and thirty-nine dollars, and seventy cents (\$239.70), from the building fund, amounting to fifteen hundred dollars, to the street improvement fund in said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.
350L

[House Bill No. 906.]

AN ACT

To amend section 2 of an act entitled an act "to authorize the board of education of the city of Piqua, Miami county, Ohio, to borrow money and issue bonds therefor," passed April 1, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of an act entitled an act "to authorize the board of education of the city of Piqua, Miami county, Ohio, to borrow money and issue bonds therefor," passed April 1, 1890, be amended so as to read as follows:

Sec. 2. That for the purpose aforesaid, the said board are hereby authorized to issue bonds, not exceeding twenty thousand dollars in amount, to be signed by the president, and attested by the clerk of the board, in sums of not more than one thousand dollars, nor less than one hundred dollars, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, said bonds to be payable at such time, or times, not exceeding twenty years, from the respective dates thereof as said board may determine; said bonds shall not be sold for less than their par value, and said board may at their discretion have coupons attached.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.
351L

[House Bill No. 907.]

AN ACT

To authorize the trustees of Jackson township, Shelby county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Jackson township, Shelby county, Ohio, be and they are hereby authorized to transfer the sum of six hundred (\$600.00) dollars, from the township poor fund to the township general fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
352L

[House Bill No. 911.]

AN ACT

To authorize the city council of the city of Defiance, Defiance county, Ohio, to borrow money and issue bonds therefor, for the purpose of constructing a public vault and chapel in Riverside cemetery, in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Defiance, Defiance county, Ohio, be and hereby is authorized to borrow money, not exceeding in amount the sum of six thousand dollars, for the purpose of constructing a public vault and chapel in Riverside cemetery, in said city; and the council of said city is hereby empowered to issue the bonds of said city for the sum of money so borrowed; said bonds to bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and said bonds shall be of such denominations and shall mature at such times as said city council shall determine; provided said bonds shall not be sold for less than their par value.

SECTION 2. Said city council is hereby authorized to levy such amount of tax upon the taxable property of said city as may be necessary to pay the principal and interest of such bonds when the same become due; said taxes to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
353L

[House Bill No. 912.]

AN ACT

To authorize the city council of the city of Defiance, Defiance county, Ohio, to issue bonds for the purpose of constructing and providing sewerage in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Defiance, Defiance county, Ohio,*be and the same is hereby authorized to issue the bonds of said city, in any sum not exceeding four thousand dollars, and bearing interest at a rate not exceeding six per cent. per annum from the date of their issue, payable semi-annually; the proceeds of said bonds to be used in providing for and constructing public sewers in said city; said bonds shall be of such denominations and shall mature at such times as said council shall determine; provided said bonds shall not be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of said city as may be necessary to pay the principal and interest of such bonds when the same become due; said taxes to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.

354L

[House Bill No. 917.]

AN ACT

To authorize the council of the city of Marietta, Washington county, Ohio, to issue bonds and borrow money for the purpose of providing sewerage, filling, paving and otherwise improving the streets of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Marietta, Ohio, be and it is hereby authorized to borrow a sum of money not exceeding twenty thousand dollars (\$20,000.00), for the purpose of providing sewerage, filling, paving and otherwise improving the streets of said city, and for this purpose to issue bonds of said city in sums of one thousand dollars or less, not exceeding said sum of twenty thousand dollars, in the aggregate, bearing interest at a rate not exceeding five per cent. per annum from date of issue, payable semi-annually; the principal of said bonds shall be payable at such times and places as the city council may determine, within a period not exceeding twenty years, and shall be advertised and sold according to law.

SECTION 2. Said city council is authorized to levy a tax on all the taxable property of said city in addition to what is now authorized by law to be levied, sufficient to meet the semi-annual interest on said bonds, and pay the principal thereof as the same may fall due.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.

355L

[House Bill No. 918.]

AN ACT

To authorize the trustees of Richland township, Guernsey county, Ohio, to levy a tax for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Richland township, Guernsey county, Ohio, are hereby authorized to levy a tax of not to exceed one-half mill annually on each dollar of the assessed value of the taxable property of said township for the purpose of purchasing ground for a cemetery; provided that the total amount authorized to be raised under this act shall not exceed eight hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.

356L

[House Bill No. 920.]

AN ACT

To authorize the trustees of Dover township, Cuyahoga county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Dover township, Cuyahoga county, Ohio, are hereby authorized to transfer one thousand dollars (\$1,000.00) from the township fund to the road fund of said township.

SECTION 2. This act shall take effect on its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 26, 1890.

357L

[House Bill No. 797.]

AN ACT

To amend section one of an act entitled "an act authorizing the county commissioners of Athens county to construct free turnpikes," passed May 1, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of the above recited act be so amended as to read as follows:

Sec. 1. , That the county commissioners of Athens county are hereby authorized, when in their judgment the public interests demand it, to cause to be constructed, free turnpike roads, on or near any state or county road in said county, of such width as in their judgment may seem best. And in the construction of such roads, said commissioners shall proceed in accordance with the provisions of sections 4770, 4771, 4772, and 4773, of the

Revised Statutes; provided, that not more than five thousand dollars of the public money shall be expended for such purpose in any one year. And before ordering any such road, said commissioners shall require donations of not less than twenty per centum of the estimated cost thereof to aid in the construction of such road, and may issue bonds for the construction of such roads, bearing not more than six per cent. interest per annum, payable at the pleasure of said commissioners, which bonds shall not be sold for less than their par value. And said commissioners may levy a tax on all taxable property in said county, not more than six-tenths of a mill on the dollar annually, for the purpose of paying for the construction of such roads, or for paying the said bonds that may be issued.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
358L

[House Bill No. 854.]

AN ACT

To authorize the trustees of Fairfield township, Butler county, Ohio, to appropriate money for the building of two township halls.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Fairfield township, Butler county, Ohio, be and they are hereby authorized to appropriate out of the township fund the sum of six hundred dollars (\$600) for the purpose of building a township hall in the northern precinct of said township, and eight hundred dollars (\$800) out of the township fund for the building of a township hall in the western precinct of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.
359L

[House Bill No. 913.]

AN ACT

To authorize the city of Defiance, Ohio, to borrow money and issue bonds therefor, for the purpose of constructing, improving and repairing the streets and public ways within said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Defiance, in Defiance county, Ohio, be and hereby is authorized to borrow money, not exceeding in amount the sum of ten thousand dollars, for the purpose of constructing, improving and repairing the streets and public ways of said city; and the council of said

city is hereby empowered to issue the bonds of said city for the sum of money so borrowed; said bonds to bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and said bonds shall be of such denominations and shall mature at such times as said city council shall determine; provided said bonds shall be sold for not less than their par value.

SECTION 2. To provide for the payment of said bonds and the interest thereon, said city council is hereby authorized to levy such amount of tax upon the taxable property of said city as may be necessary therefor when the same become due; said taxes to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage:

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.

360L

[House Bill No. 933.]

AN ACT

To authorize the commissioners of Scioto county to make a levy for the county expense fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any county having at the federal census of 1880, a population of 33,511, the county commissioners are hereby authorized at their June session in 1890, and 1891, to levy not to exceed five-tenths ($\frac{5}{10}$) mills in each of said years, on each dollar of taxable property within said county for the county expense fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 26, 1890.

361L

[Senate Bill No. 97.]

AN ACT

To authorize the county commissioners of Hamilton county to levy a tax for improving and macadamizing a part of the road known as the old Hamilton road, and a part of the road known as the Martin road, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and they are hereby authorized to assess and collect upon the general levy of all the taxable property of said Hamilton county, a tax of not less than one-twentieth of a mill, nor more than one-nineteenth of a mill on the dollar valuation thereon, in the levy for the years 1890 and 1891, one-half of which shall be placed on the tax

duplicate for the year 1890, and remainder on the tax duplicate for the year 1891, which shall be applied by and under the direction of the said county commissioners in improving and macadamizing so much of the old Hamilton road as lies between the boundary of the corporation of Lockland, and the point at which the said old Hamilton road joins the Skillman road, and so much of the Martin road as lies between the said old Hamilton road and the boundary line between Springfield and Sycamore townships; the part of said roads to be improved being altogether three miles, more or less in length, and all in Springfield township of said county; and any unexpended surplus arising from the said tax shall be appropriated by said commissioners to improve and keep in repair said roads.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
362L

[Senate Bill No. 244.]

AN ACT

To authorize the council of the incorporated village of Mt. Airy to use certain funds for the construction of sidewalks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Mt. Airy, in the county of Hamilton, be and the same is hereby authorized to use and expend, from the police and general funds of said village, a sum of money not exceeding in the aggregate the sum of nine hundred (\$900.00) dollars, for the purpose of using the same in the construction of sidewalks.

SECTION 2. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
363L

[Senate Bill No. 303.]

AN ACT

To authorize the commissioners of Hamilton county to build a bridge and approaches across the Little Miami river near Terrace Park.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and they are hereby authorized to build a suitable and substantial iron bridge, and the approaches thereto, across the Little Miami river at a point where the Cincinnati and Deerfield stage route road, running from Newtown to the Cincinnati and Wilmington turnpike at Terrace Park, crossing [crosses] the Little Miami river; and the said commissioners are hereby authorized to levy a special

tax for that purpose, on all the taxable property of Hamilton county, not exceeding one-tenth of a mill on the dollar for the years of 1891 and 1892.

SECTION 2. This act shall be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.

364L

[Senate Bill No. 306.]

AN ACT

To authorize the council of the incorporated village of Sabina, Clinton county, to issue bonds for the purpose of improving the streets of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Sabina, Clinton county, Ohio, be and they are hereby authorized to borrow not exceeding five thousand dollars for the purpose of constructing, improving, repairing and draining the streets and alleys in said village. And for the purpose of paying said indebtedness they are hereby authorized to issue the bonds of said village in denominations of not less than two hundred dollars, and payable in not less than five years from the date of issue, and bearing a rate of interest not to exceed six per centum per annum, payable semi-annually. And for the purpose of paying the interest on said bonds, and the principal, as the same may become due, said council is hereby authorized to levy a tax annually, upon all the taxable property of said village in addition to the levy now authorized by law, sufficient for that purpose.

SECTION 2. Provided, however, that before borrowing said money, and issuing said bonds the council of said village, shall after five days' notice, published in a newspaper, of general circulation in said village, submit to the qualified voters thereof, at a general or special election the proposition of issuing said bonds. And if a majority of the electors voting at said election shall vote in favor of issuing said bonds, then the provisions of section one of this act shall be in full force and effect. But if a majority of the votes cast at such election, should be against the issuing of said bonds, then the authority to borrow money, and issue bonds shall not be granted to said council.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.

365L

[Senate Bill No. 315.]

AN ACT

To authorize the council of the village of Mt. Pleasant, Jefferson county, Ohio, to borrow money and issue bonds for the purpose of improving and piking the streets, roads and highways under the control of said village for street or road purposes to the extent of \$3000.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Mt. Pleasant, Jefferson county, Ohio, be and it is hereby authorized to issue bonds for an amount not exceeding eight thousand dollars (\$8000) for the purpose of improving and piking the streets, roads and highways, under the supervision and control of said village for road purposes.

SECTION 2. Before said bonds shall be issued the question of issuing them shall be submitted to a vote of the qualified electors of said village at a special election to be held at such time as the council of said village may appoint, fifteen days' notice of which shall be given by posting said notice in ten conspicuous places within said village and by publication for two weeks in at least one newspaper having a general circulation. The tickets voted shall have printed or written thereon the words: "Authority to issue bonds for highway improvement—Yes," or "Authority to issue bonds for highway improvement—No." If the proposition to issue said bonds be approved by a majority of the qualified electors of said village voting at said election which shall be held as are other municipal elections as shall appear from a time [true] return of the vote to the village clerk, canvassed by council, the council shall have authority to issue said bonds for the purpose named.

SECTION 3. Said bonds shall be issued by the council of said village in denominations not less than one hundred nor more than five hundred dollars, payable at such times not exceeding twelve years, as council may determine, with interest not exceeding six per cent. per annum payable semi-annually upon surrender of coupons therefor, principal and interest payable at such place as the council may direct. Said bonds shall express on their face the purpose for which and the act under which they were issued, and shall be signed by the mayor and countersigned by the clerk of said village and shall not be sold for less than their par value, with accrued interest to the highest and best bidder after thirty days' advertisement in at least two newspapers of general circulation in said village, published in Jefferson county, Ohio.

SECTION 4. That for the purpose of paying said bonds and the interest thereon the council of said village is hereby authorized to levy annually a tax not exceeding two mills per annum on each dollar of taxable property in said village.

SECTION 5. That this act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
 366L

[Senate Bill No. 316.]

AN ACT

To authorize the commissioners of Erie county, Ohio, to issue bonds for the purpose of redeeming bonds now due, and refunding other bonds at a lower rate of interest.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Erie county, Ohio, for the purpose of redeeming certain bonds outstanding and now due, and for the purpose of refunding other bonds at a lower rate of interest, now outstanding and to become due hereafter, said commissioners are hereby authorized and empowered to issue bonds, not exceeding fifty-eight thousand dollars (\$58,000 00) for the purpose aforesaid, said bonds to bear a rate of interest not exceeding five per cent. (5%) payable semi-annually, and shall be of such denominations as the commissioners may direct, not exceeding one thousand dollars each (\$1,000.00) and shall be payable at such times not exceeding ten years from date of issue, as such commissioners may determine, and shall be sold at not less than par.

SECTION 2. For the purpose of redeeming said bonds as the same shall become due the commissioners are hereby authorized and empowered in addition to the annual levy now authorized by law to levy an additional tax of not exceeding five-tenths of one mill.

SECTION 3. This act shall take effect from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
367L

[Senate Bill No. 318.]

AN ACT

To change the time for holding a term of the court of common pleas in the county of Lake.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the time fixed by the judges of the 9th judicial district of Ohio for holding a term of the court of common pleas in Lake county, in said district, on the 5th day of May, A. D. 1890, be so changed that said term shall be held on the 2d day of June, A. D. 1890.

~~SECTION~~ SECTION 2. That this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
368L

[House Bill No. 386.]

AN ACT

To authorize the commissioners of Fairfield county, Ohio, to levy a tax for the improving, grading and graveling of the county road, beginning at the intersection of said road with the Zanesville and Maysville turnpike, near the village of Oakland; thence west through Stoutsville to the county line between Fairfield and Pickaway counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Fairfield county, Ohio, be and they are hereby authorized to assess and collect upon the general levy of all the taxable property of said Fairfield county, a tax of sufficient amount, not exceeding one-tenth of one mill on each dollar of valuation, which shall be applied by and under the direction of said county commissioners, in improving, grading and graveling the county road from the Zanesville and Maysville turnpike, near Oakland; thence west through Stoutsville to the county line between Fairfield and Pickaway counties.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.
369L

[House Bill No. 636.]

AN ACT

Authorizing the commissioners of Hamilton county to levy a tax to grade, macadamize and improve parts of certain county roads in Green and Miami townships.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Hamilton county be and they are hereby authorized, required and directed to improve, by grading and macadamizing the following described parts of county roads in Green and Miami townships, in said county, to-wit: Beginning in the county road commonly called the Werks road, at its intersection with the Bridgetown county road in said Green township; thence following said Werks road westwardly to the county road, commonly called the South Avenue road; thence southwardly with said South Avenue road to a county road laid out by said commissioners on the petition of one Van Blariann and others; thence with said last named laid out county road southwestwardly to the northerly end of Loveland road, in the village of Fern Bank.

SECTION 2. In order to raise the money necessary to make said improvement, said commissioners, in addition to their other powers of taxation be and they are hereby directed to assess and collect in the grand levy and duplicate of taxable property of said county two-tenths ($\frac{2}{10}$) of a mill, to be assessed in the year A. D. 1890, and which shall be applied by them to making said improvement as soon as practicable after its collection; should any surplus be left of said money raised by said levy after the payment of the improvements of said roads as above provided, it shall be retained and applied from time to time to the keeping of said road in repair.

SECTION 3. This act shall take effect from and after its passage.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

370L

[House Bill No. 643.]

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to levy a tax for grading, macadamizing and improving the county road, commencing at the Paddock road at the east end of Second street, in the village of Carthage, and running thence eastwardly, through section 6, Mill Creek township, and southeastwardly, through sections 36, 35, and 34, of Columbia township, to the Montgomery pike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, Ohio, be and they are hereby authorized to assess and collect upon the grand levy of the taxable property of said county, a tax of three-twentieths (3-20) of one mill on the dollar, which shall be applied to the grading, macadamizing and improving of the county road, commencing at the Paddock road at the east end of Second street, in the village of Carthage, and running thence eastwardly, through section 6, Mill Creek township, and southeastwardly, through sections 36, 35, and 34, of Columbia township, to the Montgomery pike; and any unexpended surplus arising from said tax shall be appropriated by said commissioners to the repair and maintenance of said road so improved.

SECTION 2. That the money so to be raised shall be equally divided and assessed, one-half ($\frac{1}{2}$) on the duplicate of 1890, and one-half ($\frac{1}{2}$) on the duplicate of 1891; and when the first one-half ($\frac{1}{2}$) shall have been collected, the said commissioners are authorized to proceed with said improvement.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

371L

[House Bill No. 767.]

AN ACT

To amend section one (1) of an act entitled "an act to provide for a special school district in the county of Henry and state of Ohio," passed March 18, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one (1) of an act entitled "an act to provide for a special school district in the county of Henry, and state of Ohio," passed March 18, 1890, be amended to read as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the following described territory to wit: Sections thirteen (13), fourteen (14), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), thirty-five (35), thirty six (36) in the township of Pleasant and the west half, and the west half of the east half of sections thirty (30) and thirty-one (31) in the township of Marion, in the county of Henry, and state of Ohio, be erected and constituted a special school district, and that the above described territory is hereby set apart as such special school district under the name and designation of South Ridge special school district.*

SECTION 2. Said original section one (1) of the act aforesaid be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS.

President of the Senate.

Passed April 28, 1890.

372L

[House Bill No. 861.]

AN ACT

To authorize the trustees of Mark township, Defiance county, Ohio, to issue and sell bonds to drill for natural gas.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Mark township, Defiance county, Ohio, are hereby authorized to issue and sell the bonds of said township in any sum not to exceed three thousand dollars, for the purposes of drilling for natural gas. Said bonds shall be issued in denominations of five hundred dollars, each one maturing annually, and shall bear a rate of interest not exceeding six per centum per annum, and shall be issued and sold according to law.*

SECTION 2. The proceeds of the sale of said bonds shall be used by the trustees of said township for the purpose of drilling and exploring in said Mark township for natural gas.

SECTION 3. Provided, however, that before issuing or selling said bonds the question shall be submitted to the electors of said township, at a special or regular election, due notice of which shall be given by the posting of written or printed notices, in not less than ten conspicuous places in said township. At the said election, the voters in favor of the issuing and selling of bonds, shall have written or printed on their ballots the words "Natural gas bonds—Yes," and those opposed the words, "Natural gas bonds—No." If three-fifths of the votes cast at the said election shall be in favor of issuing and selling the bonds of said township, for said purpose, then and only then, shall the trustees of said township, be authorized to issue and sell the said bonds.

SECTION 4. If under the provisions of this act the trustees of said township sell the said bonds, then they are hereby authorized to levy a tax on all the taxable property of said township annually, sufficient to pay the interest and principal of the same as it may mature.

SECTION 5. This act shall take effect and be in force on and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
 373L

[House Bill No. 887.]

AN ACT

To amend section one of an act entitled "an act to authorize the village of Yellow Springs and Miami township, Greene county, Ohio, to unite in the purchase of a site, and erect thereon a town hall, in said village, and to issue bonds for the purpose of raising money therefor," passed April 10, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "an act to authorize the village of Yellow Springs and Miami township, Greene county, Ohio, to unite in the purchase of a site, and erect thereon a town hall, in said village, and to issue bonds for the purpose of raising money therefor," passed April 10, 1889 (O. L., vol. 86, page 625), be amended so as to read as follows:

Sec. 1. That the incorporated village of Yellow Springs and Miami township, in Greene county, Ohio, be and are hereby authorized to unite in the purchase of a site and the erection thereon of a town hall in said village; said hall to be owned by said village and township in such proportions as the council of said village and the board of trustees of said township may determine. And to meet the payment of said bonds and the interest thereon herein authorized to be issued to raise money for said purpose, said village and township be and are hereby respectively authorized to levy a tax yearly, so long as may be necessary, on the taxable property in each, not exceeding three mills on the dollar, to be collected as other taxes, provided the tax levied by the trustees shall be made only on the taxable property in the township outside of the incorporated limits of the village of Yellow Springs.

SECTION 2. That said original section one (1) of an act entitled "an act to authorize the village of Yellow Springs and Miami township, Greene county, Ohio, to unite in the purchase of a site, and erect thereon a town hall, in said village, and to issue bonds for the purpose of raising money therefor," passed April 10, 1889 (O. L., vol. 86, page 625), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
 374L

[House Bill No. 944.]

AN ACT

To change the name of Herbert A. Butcher to Herbert A. Vandyne.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the name of Herbert A. Butcher, a resident of Meigs county, Ohio, be and the same is changed to Herbert A. Vandyne.*

SECTION 2. That such change shall in no wise affect the rights, privileges and liabilities of said person existing at the time of the passage of this act.

SECTION 3. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
381L

[House Bill No. 947.]

AN ACT

To authorize the village of Conneaut, Ashtabula county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the village council of the village of Conneaut, Ashtabula county, Ohio, be and the same is hereby authorized and empowered to transfer the following funds of said village, to-wit: From the fees and salary fund to the street fund, six hundred (\$600) dollars, from the police fund to the street fund, two hundred (\$200) dollars.*

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
382L

[House Bill No. 934.]

AN ACT

To authorize the council of incorporated village of Bluffton, Allen county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Bluffton, Allen county, Ohio, be and is hereby authorized to transfer certain funds, as follows: Six hundred dollars (\$600.00) from the corporation fund, and four hundred dollars (\$400.00) from the police fund, to the street fund.*

county of Cuyahoga, Ohio, be and is hereby authorized
not to exceed twenty-five thousand dollars (\$25,000) in
purchasing lands and erecting school buildings as the
board may direct.

SECTION 2. That for the purpose aforesaid, the board of education are hereby authorized to issue bonds not exceeding the sum of twenty-five thousand dollars (\$25,000.00), to be signed by the president and the clerk of said board, in sums not less than one thousand dollars (\$1,000.00) and not more than one thousand dollars (\$1,000.00), at a rate not to exceed six per cent. per annum, and said bonds to be payable at such time or times, not exceeding five years from the respective dates thereof, as may be determined by the board of education. Said bonds shall not be sold at less than their face value, and said bonds shall have interest coupons attached thereto.

SECTION 3. Said board of education shall pay the necessary tax to be levied on the taxable property of said city and county to pay the interest on said bonds and to pay the principal of said bonds when the same shall become due.

SECTION 4. That an act entitled "an act to village of Brooklyn, county of Cuyahoga, to bonds for the purpose of purchasing a site an thereon," passed March 15, 1889, vol. 86, page hereby repealed.

SECTION 5. This act shall take effect and its passage.

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Passed April 28, 1890.
376L

[House Bill No. 931.]

AN ACT

To construct a turnpike in the county of Holmes, Ohio
of chapter (6), title (7), of the Revised Statute

SECTION 1. *Be it enacted by the General Assembly* the commissioners of Holmes county are hereby forthwith to issue bonds of said county, signed countersigned by the auditor of said county, dollars, in sums of \$500.00 each, bearing a rate of 6 per centum per annum, payable when said bonds shall be payable on the 1st day of July, 1891. the other half on the 1st day of July, 1891. said bonds, the said commissioners shall at the same time impose a tax upon the taxable property of said county to pay the interest on said bonds and an additional sum of ten thousand dollars until the whole of said bonds, shall be one hundred thousand dollars. said constitute a turnpike fund, and shall be authorized to be levied by law and applicable

roads leading from the county seat of said county, to be determined by said commissioners, be expended under the provisions of said chapter (6), title (7), to construct turnpikes on said main roads. Provided that said commissioners may in constructing said turnpikes perform the duties of said freeholders mentioned in said chapter (6); and, provided further, that said turnpike shall be constructed of stone as provided in section 4759 of said chapter (6) and in addition thereto not less than six inches of broken limestone in the center and four inches at the outer edge on said stone; and provided further that said commissioners may fix the grade of said turnpike, and provided further that said turnpike shall be constructed and said money expended therefor without reference to section[s] 4761, 4762, 4763, 4764, 4765, 4766 and 4767, of said chapter (6).

SECTION 2. That immediately upon the sale of said bonds, the said commissioners shall proceed to construct turnpike[s] upon the main and established roads of said county, commencing within two squares of the court house square in the county seat of said county, or two squares from Jackson street or Washington street and Massillon street and in constructing said turnpike roads said commissioners shall construct an equal distance on said main roads from the commencing points aforesaid each year.

SECTION 3. This act shall take effect upon its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

377L

[House Bill No. 937.]

AN ACT

To consolidate the two voting precincts of Ross township, Greene county, Ohio, and repeal the special act passed March 18, 1887 (O. L. 85, p. 384), and to authorize the trustees of said township to issue bonds for the purpose of building a township house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the two voting precincts of Ross township, Green county, Ohio, be consolidated.

SECTION 2. That special act passed March 18, 1887 (vol. 84, p. 384, O. L.), be and the same is hereby repealed.

SECTION 3. That the trustees of Ross township, are hereby authorized to issue bonds, for any amount not exceeding one thousand dollars for the purpose of purchasing a site, centrally located in said township, and erect thereon a township house to be used as a voting place.

SECTION 4. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Passed April 28, 1890.

378L

[House Bill No. 940.]

AN ACT

To authorize the trustees of Washington township, Richland
certain funds.

SECTION 1. *Be it enacted by the General Assembly*
the trustees of Washington township, Richland
are hereby authorized to transfer from the town-
ship to the school fund for building purposes, the
dollars.

SECTION 2. This act shall take effect on its

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Passed April 28, 1890.
379L

[House Bill No. 942.]

AN ACT

To authorize the board of education of Ridgeville union
Henry, and state of Ohio, to borrow money and issue
of building and furnishing a school house in said di-

SECTION 1. *Be it enacted by the General Assem-*
the board of education of Ridgeville union sch-
of Henry, and state of Ohio, be and is hereby
sum of money not exceeding twenty-five hund-
issue bonds therefor, for the purpose of build-
house in said district.

SECTION 2. Said bonds shall be in such d-
at such times and place as said board of educ-
and shall bear interest at a rate not exceed-
and shall not be sold for less than their pa-
annually, after the issuing of said bonds, caus-
levied to pay the interest on said bonds and th-
same shall become due; and said levy if neces-
that now authorized by law.

SECTION 3. This act shall take effect and
its passage.

A
Speaker pro tem. of
W

Passed April 28, 1890.
380L

SECTION 6. Should a vacancy occur in said board of trustees before the execution of their trust by death, resignation or otherwise, the mayor shall appoint a suitable person to fill such vacancy; such appointment to be subject to the approval of the council of said city.

SECTION 7. This act shall be in force, and take effect, from and after its passage.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
384L

[House Bill No. 946.]

AN ACT

To authorize the council of Leipsic, Putnam county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Leipsic, Putnam county, Ohio, be and are hereby authorized to transfer four hundred dollars (\$400) from the borough fund, and two hundred dollars (\$200) from the police fund to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Passed April 28, 1890.
385L

JOINT RESOL

[House Joint Resolut

JOINT RESOLI

Relative to the appointment of a joint com

Resolved by the General Assembly of the
consisting of five members on the part of
of the senate be appointed to wait upon
inform him that the two branches have c
any communication he may be pleased t

Spe

Adopted January 16, 1890.

[House Joint Resol

JOINT RESOI

Relative to a joint session of the senate and

Be it resolved by the General Assembly
bers of the two branches of the general
bly in the hall of the house of represen
on Wednesday, January 15th, 1890, for
relative to the election of a United Sta
for by law.

Adopted January 15, 1890.

[House Joint Res

JOINT RES

Relative to pensioning honorably disc

WHEREAS, The preservation of t
the patriotism, self-sacrifice and hero
sailors during the late war; therefore

Resolved by the Sixty-ninth General Assembly of the State of Ohio, That the senate and house of representatives of the United States, are requested to pass a law providing that all honorably discharged union soldiers and sailors, who served ninety days or more in the army, navy or marine corps of the United States during the late war, be placed on the pension rolls of the United States at the rate per month of one cent for each day's service in said army, navy or marine corps of the United States, that in each and every case where the service rendered is less than 800 days, the pension shall be at the rate herein named for 800 days; and that this pension shall be in addition to any pension granted for disability under any general or special act.

Resolved, That the governor of the state is requested to furnish a copy of this resolution to our senators and representatives in congress.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Adopted January 21, 1890.

[Senate Joint Resolution No. 2.]

JOINT RESOLUTION

Relative to making arrangements for the inauguration of the governor-elect on Monday next, the 13th.

Be it resolved by the General Assembly of the State of Ohio, That a committee of three on the part of the senate and ——— on the part of the house, be appointed to make such arrangements as may be necessary for the inauguration of the governor-elect on Monday next, January 13.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Adopted January 30, 1890.

[Senate Joint Resolution No. 4.]

JOINT RESOLUTION

Relative to the death of the Hon. Geo. H. Pendleton.

Be it enacted [resolved] by the General Assembly of the State of Ohio, That this general assembly, hereby voicing the sentiments of the people of Ohio, without regard to political differences, expresses deep regret at the recent death of George Hunt Pendleton at Brussels in Belgium, while on his attempted return to this his native state, after an honorable service of four years as minister to Berlin. Whether as a member of the legislature of Ohio, as a representative or senator in the congress of the United States, as the candidate of his political party for the vice-presidency, or favored by the majority of the delegates of that party for the presidency, or in the diplomatic service of the country, he filled every position with perfect integrity of character and with distinguished ability. Broad and liberal minded in all his views, careful and zealous in the performance of every duty, he leaves behind him the affectionate regard and respect of

the people, and a brilliant and unspotted record of emulation by the best citizen. This general assembly places this resolution on its journals, not as an honor to the deceased whose entire life speaks for him, but to honor ourselves in showing appreciation for an exalted character, a great and noble man, forever, save in the recollection of his virtues, lost to the republic.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 ELBERT L. LAMPSON,
President of the Senate.

Adopted January 30, 1890.

[Senate Joint Resolution No. 5.]

JOINT RESOLUTION

Relative to bridging the straits of Detroit, at the city of Detroit.

WHEREAS, Propositions are now pending before the congress of the United States for the bridging of the straits of Detroit at the city of Detroit, the construction of which will involve the placing of several extensive piers directly in the channel, and thereby seriously obstruct and interfere with the free navigation of this great water-way, at its very point of concentrated traffic, and in its narrowest channel; and

WHEREAS, Transportation, at the lowest possible cost between the east and the west and northwest can only be maintained by preserving this national water-way entirely free from all obstruction to navigation; and

WHEREAS, The agriculture, mining and manufacturing interests of the state of Ohio are directly and largely concerned in the preservation of this channel, entirely free to the interchange between herself and her sister states, of all raw and manufactured products; and

WHEREAS, Any additional facilities that may be needed for transit by railroads at this point, can without difficulty or undue expenditure be acquired, either, by an adequate enlargement of ferriage system, or by the construction of a tunnel;

Resolved by the General Assembly of the State of Ohio, That the senators in the congress of the United States from the state of Ohio be instructed, and our representatives be requested to use their influence, and vote against any bill to authorize or permit the construction, of any bridge which would involve the placing of piers in the navigable waters of the straits of Detroit.

Resolved, That the governor of the state be requested to transmit a certified copy of these resolutions to each of the senators and representatives in congress, and to the committee on commerce, respectively in the house and senate of the United States.

NIAL R. HYSELL,
Speaker of the House of Representatives.
 ELBERT L. LAMPSON,
President of the Senate.

Adopted January 30, 1890.

[Senate Joint Resolution No. 6.]

JOINT RESOLUTION

Relative to authorizing the secretary of state to furnish certain books.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state is hereby authorized to furnish upon request to the state commissioner of schools and to the land department of the state auditor's office, a set each of Giaque's edition of the Revised Statutes of Ohio.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Adopted January 30, 1890.

[Senate Joint Resolution No. 9.]

JOINT RESOLUTION

Relative to the improvement of the channels and harbors of the great lakes.

WHEREAS, The already vast and rapidly increasing commerce on the great lakes, imperatively demand[s] enlarged and improved facilities for its accommodations; and

WHEREAS, There has been very great destruction of life and property, and is constant and alarming peril to vessel property, seamen and passengers on the public highways, from lack of needed public improvement of them; and

WHEREAS, Liberal appropriations are indispensable to the suitable improvement of the entrance to Lake Superior, the construction, completion, improvement and maintenance of the harbors at the lake ports of Ohio; and

WHEREAS, The general welfare of the commerce and the people of the country demand that these interests be not further neglected; therefore.

Be it resolved by the General Assembly of the State of Ohio, That our senators be instructed and our representatives in congress from Ohio be urgently requested to use every lawful effort in their power to secure from congress such action and such appropriations as will effect a needed and prompt improvement of the channels and harbors on the great lakes, and especially of the harbors at our lake ports in Ohio.

Resolved, That the governor of the state of Ohio be requested to transmit a certified copy of this resolution to each of our senators and representatives in congress from Ohio.

NIAL R. HYSELL,

Speaker of the House of Representatives.

ELBERT L. LAMPSON,

President of the Senate.

Adopted January 30, 1890.

[Senate Joint Resolution No. 10.]

JOINT RESOLUTION

Asking congress to pass a law pensioning disabled soldiers and sailors of the late war.

§: WHEREAS, The two great political parties of this nation, as [are] thoroughly committed by their platforms and the declaration of their public

speakers, to a general pension law, for the surviving soldiers of the late war; and

WHEREAS, Said soldiers are becoming old, and most of them broken in health, and many of them unable to furnish the necessary evidence that would entitle them to a pension for disability; therefore,

Be it resolved by the General Assembly of the State of Ohio, That it is the sense of this general assembly that as a simple act of justice to the brave defenders of the union in its hour of danger, congress should at an early day, pass a law, placing upon the pension rolls of the government all honorably discharged soldiers and sailors, and their widows and orphans of deceased soldiers and sailors of the late war.

Resolved, That the governor be requested to forward a copy of these resolutions to each of our senators and representatives in congress.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Adopted January 30, 1890.

[House Joint Resolution No. 10.]

JOINT RESOLUTION

Relative to the world's fair.

Be it resolved by the General Assembly of the State of Ohio, That our senators and representatives in congress be and they are hereby requested to favor the holding of the so-called "world's fair," in 1892, in the city of Chicago, state of Illinois.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the Senate.

Adopted January 30, 1890.

[House Joint Resolution No. 14.]

JOINT RESOLUTION

Relative to authorizing the commissioner of railroads and telegraphs to cause certain railroad maps to be printed.

Be it resolved by the General Assembly of the State of Ohio, That in addition to the three thousand railroad maps of Ohio, authorized by section 63, Revised Statutes, to be printed, the commissioner of railroads and telegraphs be and he is hereby authorized to have ten thousand (10,000) additional maps printed. Four thousand (4,000) of which shall be mounted on paste-board and one thousand (1,000) in pocket edition; and that the total cost shall not exceed ten hundred dollars (\$1,000), and that the same be paid out of the printing fund; and provided further, that of the ten thousand (10,000) additional maps, each member shall receive 35 copies, and the remainder shall be distributed by the commissioner.

NIAL R. HYSELL,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President of the

Adopted January 30, 1890.

[House Joint Resolution No. 3.]

JOINT RESOLUTION

Relative to the instructing our senators and requesting our representatives in congress from Ohio to use all honorable means to secure the passage of S. B. No. 2.

WHEREAS, The right of suffrage is fundamental, sacred and a vital safe-guard of the liberties of every American citizen, and to exercise such right, free from undue and arbitrary control, is necessary to the preservation of a republican form of government; and

WHEREAS, The republican party by virtue of the power of holding control of both branches of congress and the executive is now seeking to interfere with the right of the people to control their own election, by placing the election of members of congress under control of the federal administration as is plainly visible by the provisions of senate bill No. 2 introduced by Hon. John Sherman; and

WHEREAS, Such federal control is not in the interest of securing purer elections as is pretended, but in fact for the purpose of controlling by federal power the election of members of congress as was done in the southern states during the corrupt reconstruction period following the war; therefore,

Be it resolved. That we view with alarm the attempt of the present federal administration to obtain a continuance of power by the strong arm of the federal government. The present republican administration being rebuked in its high protection theories in the northern states, now seeks to accomplish by force, what, by an appeal to reason would be refused by the people. Such control of congressional elections as proposed by said senate bill is intended to abridge the right of the people to control their own affairs, would be dangerous to the liberties of the people, would engender a spirit of contempt for our free institutions, is arbitrary in its nature and is a usurpation which can not, and will not be sanctioned by any true American citizen; therefore,

Be it further resolved, That we appeal to all members of congress, regardless of party, to protect the rights of all citizens of this union in this sacred privilege of home rule and a free and untrammelled ballot, and therefore defeat said senate bill and all like legislation.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Adopted January 6, 1890

[House Joint Resolution No. 16.]

JOINT RESOLUTION

Relative to electric light in basement of state house.

Be it resolved by the General Assembly of the State of Ohio, That a committee consisting of three members of the house and three of the senate be appointed to inquire into the practicability and probable expense of putting an electric light plant in the basement of the state house to supply, and to inquire into the cost of supplying the state house with incandes-

ent lights, the various departments thereof with
committee to report to the house and senate within

NIAL

Speaker of the

PERRY

President

Adopted February 6, 1890.

[Senate Joint Resolution No. 11.]

JOINT RESOLUTION

Authorizing an investigation of the "board of pardons" of

WHEREAS, Charges have been made as to
affairs of the "board of pardons," such charges incl
tency, favoritism, &c., &c.; therefore,

Resolved by the General Assembly of the State of Ohio
consisting of two members of the senate and three
of representatives, be appointed to make a thoro
transactions and affairs of the "board of pardons,
examination shall have the right to send for p
shall report to the general assembly.

NIAL

Speaker of th

PERJ

Presi

Adopted February 10, 1890.

[Senate Joint Resolution No. 1.]

JOINT RESOLUTION

Relative to further preserving Fort Ancient, in V

WHEREAS, Fort Ancient, the great pre-hist
in Warren county, Ohio, is considered to be the
Mound-builders in this state, if not in the whole

WHEREAS, Its preservation has become a
having been frequently urged by our leading sci

Be it resolved by the General Assembly of the S
view of devising some plan for the preservatio
historic earth-work, a committee of three on t
—— on the part of the house be appointed, '
make a thorough investigation of this matter, a
wise.

NIA

Speaker of

PE

Pres

Adopted February 10, 1890.

[House Joint Resolution No. 18.]

JOINT RESOLUTION

Relative to a governor's residence.

Be it resolved by the General Assembly of the State of Ohio, That so much of Governor Foraker's message delivered January 6, 1890, as relates to providing a residence for the governor of this state, in Columbus, be and the same is hereby referred to a special committee, to consist of three members on the part of the house and two on the part of the senate. The said committee report to the general assembly the expediency of such purchase, the proper and probable cost of the same, and the best means to adopt to secure the proposed end.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives

PERRY M. ADAMS,

President pro tem. of the Senate

Adopted February 12, 1890.

[Senate Joint Resolution No. 19.]

JOINT RESOLUTION

Authorizing the superintendent of insurance to omit from quarterly report to auditor of state the sum of \$4,178.74.

WHEREAS, Of the total collections by the insurance department during the current quarter, amounting to about \$18,000.00, the sum of \$4,178.74 is brought in question, and the legality of the collection of said sum depends upon the decision of a suit now pending in the supreme court wherein the Michigan mutual life insurance company, of Detroit, Michigan, is plaintiff, and Samuel E. Kemp, superintendent of insurance, is defendant; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the superintendent of insurance is hereby authorized to omit said sum of \$4,178.74, from his next quarterly settlement with the state auditor, and to hold the same subject to the decision of the court in the above mentioned suit.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives

WILLIAM V. MARQUIS,

President of the Senate

Adopted February 19, 1890.

[Senate Joint Resolution No. 20.]

JOINT RESOLUTION

Relative to the employing of a stenographer.

Resolved, That the committee on investigation of the transaction at the affairs of the board of pardons, be authorized to engage the services of a stenographer during said investigation.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives

WILLIAM V. MARQUIS,

President of the Senate

Adopted February 19, 1890.

[House Joint Resolution No. 23.]

JOINT RESOLUTION

Relative to B. F. Tracy, of United States navy.

WHEREAS, The recent calamity at the capital of the United States, whereby the secretary of the navy was so sadly visited, excites the sympathy of his fellow countrymen generally; therefore,

Be it resolved by the General Assembly of the State of Ohio, That this body has learned with sorrow of the misfortune that has befallen the home and family of secretary of the navy, Hon. B. F. Tracy, and we hereby take this opportunity to extend our heartfelt sympathy and condolence to the bereaved and stricken gentleman in the hour of his pain and suffering; and be it further

Resolved, That a copy of this preamble and resolution, under the seal of the state of Ohio, be forwarded to him at Washington.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted February 19, 1890.

[House Joint Resolution No. 26.]

JOINT RESOLUTION

Relative to returning of H. B. No. 36 from the secretary of state's office to the general assembly.

WHEREAS, Clerical errors have occurred which will invalidate house bill No. 36, by Mr. Spencer, which bill has been passed and signed, and is now in the hands of secretary of state; therefore,

Be it resolved by the General Assembly of the State of Ohio, That house bill No. 36, by Mr. Spencer, "authorizing the council of the village of Jerry City, Wood county, Ohio, to use any funds in the treasury not to exceed \$1,000, to build mayor's office and jail," be returned by the secretary of state to the general assembly for corrections.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted February 19, 1890.

[House Joint Resolution No. 25.]

JOINT RESOLUTION

Relative to authorizing the binding of 600 copies of the adjutant-general's report.

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and is hereby directed to cause to be bound in cloth six hundred (600) copies of the annual report of the adjutant-general of the state for the year 1889.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted February 20, 1890.

[House Joint Resolution No. 21.]

JOINT RESOLUTION

Relative to the sanitary condition of the Ohio soldiers' and sailors' orphans' home, at Xenia, Ohio.

WHEREAS, There are many reports in regard to serious sanitary defects in the soldiers' and sailors' orphans' home, at Xenia, Ohio; therefore,

Be it resolved by the General Assembly of the State of Ohio, That a committee of three from the state board of health in connection with executive officers thereof be and they are hereby instructed to visit said home, make an examination as to its sanitary condition and report to the general assembly together with recommendations as they may deem necessary for the good of the institution.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Adopted February 25, 1890.

[House Joint Resolution No. 31.]

JOINT RESOLUTION

Requesting the secretary of state to return H. B. No. 98.

Resolved by the General Assembly of the State of Ohio, That the secretary of state is hereby requested to return to the house of representatives H. B. No. 98, by Mr. Rooney, for the purpose of correcting an error resulting from incorrectly re-engrossing said bill.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Adopted February 28, 1890.

[Senate Joint Resolution No. 3.]

JOINT RESOLUTION

Relative to a joint session of the senate and house of representatives to count the vote at the last general election.

Resolved by the General Assembly of the State of Ohio, That the two houses of the general assembly meet in joint convention, in accordance with the provisions of the constitution and the statutes, on Wednesday, January 5, 1890, at 11 o'clock a. m., in the hall of the house of representatives, to count the vote for governor, lieutenant-governor, treasurer of state, and attorney-general, at the election held on the first Tuesday after the first Monday of November, 1889.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Adopted March 4, 1890.

[Senate Joint Resolution No. 15.]

JOINT RESOLUTION

Instructing our senators and requesting our representatives in congress to favor a liberal appropriation for the improvement of the Cumberland river in Kentucky, by locks and dams.

WHEREAS, The city of Cincinnati, in her municipal capacity, has expended over \$20,000,000, in building a railroad across the states of Kentucky and Tennessee, which crosses the Cumberland river at right angles at Burnside, Kentucky, which point is 165 miles from Cincinnati and midway between that city and Chattanooga, Tennessee, while it is 325 miles by river from Nashville, Tennessee; and

WHEREAS, The natural outlet of the upper Cumberland river valley to the city of Cincinnati and the state of Ohio, is up stream to the Cincinnati Southern railroad; and

WHEREAS, The river and harbor bill passed by the congress of the United States in 1882 contained the following important provision, to-wit:

To make such survey and report, as to placing locks and dams in the Cumberland river from Nashville, Tennessee, to the Cincinnati Southern railroad in Kentucky, as in the opinion of the secretary of war is necessary to complete the examination and report of said river, said report to be

1. As to the practicability of the work.
2. Its probable cost from Nashville to the Kentucky line.
3. The cost from the Kentucky line to the Cincinnati Southern railroad.
4. The cost of docking [locking] and damming so as to improve Smith's shoals; and

WHEREAS, In pursuance of said provision such survey has been completed, and the report thereon shows that said work is practicable, and that to secure slack water navigation all the year round between Nashville, Tennessee, and the Cincinnati Southern railroad in Kentucky will require \$3,202,922, said estimates being divided as follows: From Nashville to Kentucky line, \$1,987,536, from Kentucky line to the Cincinnati Southern railroad, \$1,215,386. The estimated cost of locking and damming Smith's shoals to the coal field, above the Cincinnati Southern railroad, \$875,000; and

WHEREAS, Congress approved said report and has made three several appropriations, amounting in the aggregate to \$325,000, for the construction of locks and dams on said river in Tennessee; and the construction of lock No. 1, at Nashville, Tennessee, is now in progress; and

WHEREAS, The interests of the people of Ohio, and especially of the city of Cincinnati, demand that the improvement of said river should proceed from the Cincinnati Southern railroad down stream, while the same continues from Nashville up; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators and representatives in congress be requested to favor a liberal appropriation at the present session for the improvement of the Cumberland

river in Kentucky, by locks and dams, in addition to an appropriation for the improvement of said river in Tennessee above Nashville.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Adopted March 3, 1890.

[Senate Joint Resolution No. 18.]

JOINT RESOLUTION

Relative to granting certain authority to the adjutant-general of Ohio, in connection with the annual encampments of the Ohio division of sons of veterans.

WHEREAS, It is the desire of the members of the military order, known as sons of veterans U. S. A., to perfect themselves in military knowledge, by holding their annual division encampments in the field, under competent military authority; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general of Ohio be and he hereby is authorized, upon the application of the commanding officer of said division, to designate an officer to attend the annual encampments of the Ohio division of sons of veterans, with authority to inspect the same and give instructions in the military work of the encampment, and to report thereon in the usual form.

Resolved, That the adjutant-general is further authorized, when, in his opinion, the said encampments occur at such time as will not interfere with the work of the Ohio national guard, to loan to said encampments the tents of the national guard, under the supervision of the officer detailed as provided for. Provided, that all expenses incurred in the handling of said tents, or the presence in the encampment of said officer, shall be borne by said Ohio division of sons of veterans, which shall give proper security therefor.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Adopted March 3, 1890.

[Senate Joint Resolution No. 17.]

JOINT RESOLUTION

Relative to the "dependent pension bill," now pending in congress.

WHEREAS, A bill is now pending in the congress of the United States known as the dependent pension bill; and

WHEREAS, Said bill, if passed, would not fully meet the wants and wishes of a large majority of the union soldiers; and

WHEREAS, A bill is also pending in the congress of the United States known as the per diem pension bill; therefore,

Resolved by the General Assembly of the State of Ohio, That it is the sense of this general assembly that congress should first pass the per diem pension bill, thereby not only giving the relief sought by the dependent pension bill, but do justice to every honorably discharged soldier.

Resolved, That the governor be requested to forward a copy of these resolutions to each of our senators and representatives in congress.

NIAL R. HYSELL,

Speaker of the House of Representatives.

PERRY M. ADAMS,

President pro tem. of the Senate.

Adopted March 5, 1890.

[House Joint Resolution No. 27.]

JOINT RESOLUTION

Relative to printing the bulletins of the Ohio agricultural experiment station.

Be it resolved by the General Assembly of the State of Ohio, That the bulletins of the Ohio agricultural experiment station shall be printed under direction of the supervisor of public printing and paid for out of the appropriation for state printing; said bulletins to be printed in advance of other matter, except the crop reports of the state board of agriculture; provided, that the average monthly edition of such bulletins shall not exceed 60,000 copies, that the total number of pages in such bulletins and the annual report of the stations shall not exceed 500 in any one year, and that be included in the annual report of the state board of agriculture; and provided, further, that each member of the general assembly shall be entitled to 300 copies of each issue of said bulletins.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted March 7, 1890.

[House Joint Resolution No. 33.]

JOINT RESOLUTION

Relative to the auditor of state allowing the rolls of the volunteers of the rebellion to be used by the adjutant-general.

Be it resolved by the General Assembly of the State of Ohio, That the auditor of state be and is hereby authorized and directed to allow the adjutant-general of the state of Ohio to have possession of all rolls of volunteers and militia paid by the state of Ohio, for services during the war of the rebellion, now on file as vouchers in the office of the auditor of state, until the same can be copied into the rosters of Ohio soldiers now being made in the adjutant-general's office; and as said rolls are copied they shall be returned in good condition to their place in the office of the auditor of state.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted March 7, 1890.

[Senate Joint Resolution No. 21.]

JOINT RESOLUTION

Relative to furnishing copies of the Revised Statutes of Ohio to the parties herein named.

Resolved, That the secretary of state be and he is hereby instructed and required to purchase and furnish to each of the judges of the supreme and circuit courts of the state of Ohio, one set each of the Revised Statutes of Ohio (Smith and Benedict edition) at a cost of not to exceed one hundred and fifty dollars (\$150), which said sum is hereby appropriated for said purpose.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted March 18, 1890.

[House Joint Resolution No. 13.]

JOINT RESOLUTION

Relative to investigating the working home for the blind.

Be it resolved by the General Assembly of the State of Ohio, That there be a committee of five appointed consisting of three members of the house and two of the senate to investigate the present conditions and the past working of the working home for the blind; said committee shall have authority to demand persons and papers necessary to a full investigation and shall report to this house as early as possible.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted March 24, 1890.

[House Joint Resolution No. 15.]

JOINT RESOLUTION

Instructing our senators and requesting our representatives in congress to use all honorable means to secure the passage of H. R. bill No. 4666 for the suppression of river piracy.

WHEREAS, There is pending in the congress of the United States a bill, for the purpose above mentioned; and

WHEREAS, The citizens of Ohio along the navigable streams of the state have for a long time been subjected to loss from pilfers and theft, and imposed on by a lawless class of vagrants commonly known as river pirates who live in what are commonly known as shanty boats; and

WHEREAS, This evil can only be adequately handled and effectually suppressed by national legislation; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators in congress are instructed, and our representatives in congress are requested to use all honorable means to secure the passage of such bill,

and that the governor be requested to forward a copy of the resolution to our senators and representatives in congress.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Adopted March 24, 1890.

[House Joint Resolution No. 31.]

JOINT RESOLUTION

Relative to the house and senate extending thanks to the Columbus board of trade.

Resolved by the General Assembly of the State of Ohio, That the thanks of the general assembly be and are hereby extended to the Columbus board of trade for the generous banquet given the members of the senate and house, February 18, 1890.

Resolved, further, That a copy of this resolution signed by the president of the senate and speaker of the house be sent to the president of the Columbus board of trade.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
 WILLIAM V. MARQUIS,
President of the Senate.

Adopted March 24, 1890.

[House Joint Resolution No. 32.]

JOINT RESOLUTION

Relative to instructing congress in regard to the erection of a monument at Fort Recovery, Ohio.

WHEREAS, The remains of more than nine hundred (900) soldiers of the government who lost their lives in battle against the Indians, and in defense of our government when it was still in its infancy are interred in the village of Fort Recovery, Mercer county, Ohio; and

WHEREAS, The majority of those soldiers were veterans of the revolutionary war, through which our national independence was gained; and

WHEREAS, No monument whatever marks their resting place; and

WHEREAS, The citizens of Fort Recovery, Ohio, have agreed to secure sufficient grounds for a park provided the congress of the United States make a sufficient appropriation for the purchase and erection of a suitable monument in said park; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators in congress are requested and that our representatives in congress are requested to take some action with respect to the passage of a bill appropriating a sufficient amount of money for the purchase and erection of a suitable monument to mark the last resting-place of said soldiers in the park provided by the citizens of Fort Recovery, Ohio; and

Be it further resolved, That the governor of Ohio be requested to mail to each of our senators and representatives in congress a copy of these resolutions.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Adopted April 21, 1890.

[House Joint Resolution No. 43.]

JOINT RESOLUTION

Relative to erection of a monument at Put-in-Bay, Ohio, commemorative of the naval battle of Lake Erie, September 10th, 1813.

WHEREAS, The naval battle of Lake Erie, on the 10th day of September, 1813, is one of the memorable events of our country's history, and the victory won by the naval forces under Commodore Oliver Hazard Perry, against a superior force attested to American seamanship and valor, and was the turning point of the war of 1812, in the northwest; and

WHEREAS, There is now a bill pending in the congress of the United States, introduced by Hon. Wm. E. Haynes, providing for a monument at Put-in-Bay, Ohio, commemorative of Commodore Oliver Hazard Perry, and those who participated in said battle; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators and representatives in congress are requested to use their efforts to secure the passage of said bill (H. B. No. 7900).

Resolved 2nd, That the governor be requested to transmit a copy of these resolutions to our senators, and to each member of the house of representatives of congress of the United States from Ohio.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Adopted April 21, 1890.

[House Joint Resolution No. 46.]

JOINT RESOLUTION

- . Requesting our senators and representatives in congress to support the bill pending in congress for the relief of military telegraphers.

WHEREAS, Except commissioned officers, those persons engaged in the military corps of the United States during the war of the rebellion, although performing strictly military duties, whereby some lost their lives, and others were wounded or imprisoned, have received no official recognition for their fidelity, intelligence, bravery, and efficiency; and

WHEREAS, As an integral part of the army, they ought to have been accorded a military status corresponding in rank to the service so meritoriously performed; and

WHEREAS, By reason of the death of many army telegraphers, and other difficulties developed by the lapse of time, it is at this time inexpedient to confer actual military rank upon members of said corps; therefore,

Be it resolved by the General Assembly of Ohio, That it is the sense of this general assembly that congress should at an early day pass the bill now pending in congress providing for the relief of the military telegraphers during the rebellion.

Resolved, [That] the governor be requested to forward a copy of these resolutions to each of our senators and representatives in congress, with the request that they give the aforesaid bill their hearty support.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Adopted April 21, 1890.

[House Joint Resolution No. 44.]

JOINT RESOLUTION

Relative to improvement of hall of house of representatives.

Resolved, That an additional gallery and an additional committee-room be built in accordance with plans in possession of the speaker of the house of representatives; that Frederick Blankner, third assistant sergeant-at-arms, is hereby authorized and directed to make the improvements under specifications to be approved by the speaker of this house. In making purchases and letting work and furnishing materials, he shall ask for competitive bids and award the contract to the lowest responsible bidder. A full itemized statement of the cost of such improvements shall be submitted by him to the 69th general assembly at its adjourned session.

Resolved, further, To defray the cost of such improvements, there be and is hereby appropriated out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of three thousand dollars (\$3,000.00) or so much thereof as may be necessary. All bills shall be approved by the speaker of the house of representatives, and the auditor of state is hereby authorized to issue his warrants upon the treasury of state for amount of such bills approved as aforesaid.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Adopted April 24, 1890.

[Senate Joint Resolution No. 26.]

JOINT RESOLUTION

To authorize the library board to purchase new books.

Resolved by the General Assembly of the State of Ohio, That the board of library commissioners be and they are hereby authorized to purchase for the state at a cost not to exceed \$5.00 per volume of Henry Howe, author of Howe's Historical Collections of Ohio, twelve hundred copies of said work now in course of publication, which shall be distributed as the general assembly may hereafter provide.

NIAL R. HYSELL,
Speaker of the House of Representatives.

WILLIAM V. MARQUIS,
President of the Senate.

Adopted April 25, 1890.

[House Joint Resolution No. 36.]

JOINT RESOLUTION

Authorizing settlement of the case of the state of Ohio against Albert Netter.

Resolved by the General Assembly of the State of Ohio, That the commissioners of the sinking fund be and they are hereby authorized to settle the claims involved in the case of the state of Ohio against Albert Netter now pending in the supreme court of Ohio, and to enter satisfaction of the judgment therein rendered by said commissioners of one-half the amount claimed by the state in said action without interest.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted April 25, 1890.

[House Joint Resolution No. 39.]

JOINT RESOLUTION

Relative to the printing and disposition of state geologist's reports.

Be it resolved by the General Assembly of the State of Ohio, That ten thousand copies of the first annual report of the state geologist shall be printed under the contract for the state printing with such maps and illustrations as shall be furnished by the state geologist and that the following disposition shall be made of the copies above named: To the state geologist four hundred copies. To the state library one hundred copies. To the state officers and state institutions one copy each. To each member of the 69th general assembly fifty copies. The remainder of the edition to be deposited with the secretary of state, to be sold by him at cost of publication under such regulations as he may establish, the money arising from such sales to be placed to the credit of the general revenue fund.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted April 26, 1890.

[House Joint Resolution No. 52.]

JOINT RESOLUTION

Relative to the return of house bill No. 767 for re-enrollment.

WHEREAS, House bill No. 767 has been improperly enrolled, and such improper enrollment materially destroys the efficiency of said bill; therefore,

Be it resolved by the General Assembly of the State of Ohio, That house bill No. 767 be returned by the secretary of state for re-enrollment.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted April 26, 1890.

[House Joint Resolution No. 55.]

JOINT RESOLUTION

Relating to the transfer of John Bradley from the Erie county infirmary to the asylum for the insane at Toledo.

WHEREAS, One John Bradley has become insane and his insanity has assumed a form that renders it unsafe for him to be at large; and

WHEREAS, He was sent in such condition on the 19th day of April, A. D. 1890, from the Ohio penitentiary at Columbus; and

WHEREAS, By diligent inquiry his place of residence can not be ascertained, and his relatives and acquaintances, if any, are wholly unknown; and

WHEREAS, He is confined in the county infirmary of Erie county, Ohio, where proper care and attention suitable to his case can not be given; and

WHEREAS, He should be confined in an asylum; and

WHEREAS, Under the statutes now in force, the said John Bradley is not eligible to admission to any insane asylum of this state, for the reason that he is not a legal resident thereof; therefore,

Resolved by the General Assembly of the State of Ohio, That the said John Bradley having been adjudged insane, and in the Ohio penitentiary, and by reason of his so having been adjudged insane, and by reason of expiration of sentence he was sent to the Erie county infirmary, the superintendent of the Toledo asylum for the insane be and is hereby authorized and required to receive the said John Bradley into said institution for treatment, and if said patient recovers, return or deliver him to the proper authorities of Erie county, Ohio.

NIAL R. HYSELL,

Speaker of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted April 26, 1890.

[Senate Joint Resolution No. 29.]

JOINT RESOLUTION

Relative to adjourning.

Resolved by the General Assembly of the State of Ohio, That the present session of the 69th general assembly adjourn on Monday, April 28th, at 11 o'clock a. m., to meet again on Tuesday, Jan. 6th, 1891, at 4 o'clock p. m.

A. C. ROBESON,

Speaker pro tem. of the House of Representatives.

WILLIAM V. MARQUIS,

President of the Senate.

Adopted April 28, 1890.

[Senate Joint Resolution No. 30.]

JOINT RESOLUTION

Relative to appointing a committee to act with the adjutant-general in letting contracts and superintending work herein named.

WHEREAS, There has been appropriated the sum of eight thousand dollars for new walks and repairs on the state house grounds; and

WHEREAS, The adjutant-general has requested that a committee be appointed to act with him in adopting plans, letting contracts and superintending the construction of the work; therefore,

Be it resolved, That a committee of two on the part of the senate, and three on the part of the house be appointed, for the purpose hereinbefore specified and that said committee in the discharge of its duties shall have such authority as is usually granted to committees of either branch of the general assembly.

Resolved, That said committee shall serve without compensation, but actual and reasonable expenses incurred in the discharge of its duties shall be paid upon the filing of an itemized account of the same with the auditor of state.

NIAL R. HYSELL,
Speaker of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Adopted April 28, 1890.

[House Joint Resolution No. 54.]

JOINT RESOLUTION

Relating to one set of Revised Statutes to be furnished to reporter of supreme court by the secretary of state.

Resolved by the General Assembly of the State of Ohio, That the secretary of state be and he is hereby authorized and directed to furnish to the reporter of the supreme court one set of the Revised Statutes of Ohio, of 1890.

A. C. ROBESON,
Speaker pro tem. of the House of Representatives.
WILLIAM V. MARQUIS,
President of the Senate.

Adopted April 28, 1890.

[House Joint Resolution No. 41.]

JOINT RESOLUTION

Relative to printing for the Ohio state board of agriculture, and to rescind house joint resolution No. 96, adopted March 12, 1887.

Resolved by the General Assembly of the State of Ohio, That the necessary printing for the Ohio state board of agriculture be provided for in the following manner, on and after the completion of work now in printer's hands for said board: The monthly or quarterly crop reports, bulletins, premium lists, tabular work and other pamphlets, shall be executed under the direction of the supervisor of public printing and paid for out of the appropriation for state printing; the crop reports and bulletins to be

printed in advance of other matter. The letter blanks and other incidental work for said board of public printing shall, on the written requisition of said institution, provide the necessary paper of the quantity and quality of the same in his and of the deaf and dumb institution shall give a duplicate executed for said state board of agriculture, the paper used in said work, and the amount on their annual report. House joint resolution 447), relative to printing for Ohio state board March 12, 1887, be and the same is hereby resolved

NI
Speaker of
W

Adopted April 28, 1890.

State of Ohio, Office of the Secretary of State, ss:

I, Daniel J. Ryan, as Secretary of State of the State of Ohio, do hereby certify that the foregoing acts and joint resolutions were printed and bound by the General Assembly of said State, and that the same are now on file in this office, of the acts passed at the Sixty-ninth General Assembly of the State of Ohio, held in the city of Columbus, January 6, 1890, and ended on the 24th day of June, 1890.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and the Official Seal, at Columbus, the 24th day of June, 1890

[SEAL.]

**TIMES OF HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS IN OHIO
IN 1890.**

Counties.	County seats.	Circuit.	Circuit Courts.	Districts.	Subdivisions.	Common Pleas Courts.
Adams	West Union	4	April 9, Nov. 13.....	5	1	Jan. 7, April 15, Sept. 30.
Allen	Lima	3	June 2, Nov. 10.....	3	1	Feb. 10, May 12, Nov. 19.
Ashland	Ashland	5	April 8, Nov. 11.....	6	2	March 3, Oct. 6, Dec. 1.
Ashland	Jefferson	7	Feb. 25, Oct. 14.....	9	3	Jan. 6, March 17, Oct. 27.
Athens	Athens	4	Jan. 27, Sept. 28.....	7	3	Feb. 10, April 28, Nov. 10.
Auglaize	Wapakoneta	3	May 19, Oct. 16.....	3	1	Jan. 6, April 7, Sept. 15.
Belmont	St. Clairsville	7	June 24, Dec. 16.....	8	2	Jan. 28, April 22, Oct. 21.
Brown	Georgetown	4	April 15, Nov. 17.....	5	1	Jan. 14, May 13, Oct. 7.
Butler	Hamilton	1	April 14, Oct. 13.....	2	1	Jan. 6, May 5, Oct. 13.
Carroll	Carrollton	7	Jan. 22, Sept. 24.....	9	1	Feb. 3, May 5, Nov. 10.
Champaign	Urbana	2	April 14, Oct. 16.....	2	2	Jan. 6, May 5, Oct. 6.
Clark	Springfield	2	May 26, Dec. 1.....	2	3	Jan. 6, May 5, Oct. 6.
Clermont	Batavia	1	April 8, Oct. 6.....	5	1	Feb. 4, May 6, Oct. 14.
Clinton	Wilmington	1	May 5, Nov. 3.....	2	3	Jan. 6, May 5, Oct. 13.
Columbiana	New Lisbon	7	Jan. 15, Sept. 18.....	9	1	Feb. 3, May 5, Oct. 6.
Coshocton	Coshocton	5	April 22, Nov. 25.....	6	3	Jan. 13, April 8, Sept. 8.
Crawford	Bucyrus	3	Feb. 11, Nov. 18.....	10	2	Jan. 2, April 14, Sept. 15.
Cuyahoga	Cleveland	8	Jan. 7, Oct. 13.....	4	3	Jan. 6, April 8, Sept. 22.
Darke	Greenville	2	April 21, Nov. 10.....	2	1	Jan. 6, May 5, Oct. 13.
Defiance	Defiance	3	Jan. 25, Sept. 30.....	3	2	Feb. 3, April 28, Sept. 8.
Delaware	Delaware	5	May 27, Dec. 16.....	6	1	Jan. 6, April 14, Sept. 29.
Erie	Sandusky City	6	Feb. 18, Nov. 18.....	4	1	Jan. 6, March 10, Sept. 1.
Fairfield	Lancaster	5	Jan. 7, Sept. 9.....	7	1	Jan. 27, April 7, Oct. 20.
Fayette	Washington C. H.	2	May 12, Nov. 17.....	5	2	Jan. 13, April 14, Oct. 6.
Franklin	Columbus	2	Jan. 6, Sept. 15.....	5	3	Jan. 6, April 14, Sept. 15.
Fulton	Wauseon	6	June 2, Dec. 5.....	3	3	March 10, June 9, Dec. 1.
Gallia	Gallipolis	4	March 5, Oct. 2.....	7	3	Jan. 14, April 1, Sept. 16.
Geauga	Chardon	7	Feb. 18, Sept. 30.....	9	3	Jan. 20, March 31, Oct. 27.
Greene	Xenia	2	March 3, Oct. 6.....	2	3	Jan. 6, May 5, Oct. 6.
Guernsey	Cambridge	7	June 19, Dec. 11.....	8	1	Feb. 4, April 15, Oct. 14.
Hamilton	Cincinnati	1	Jan. 6, Nov. 17.....	1	1	Jan. 6, April 7, July 7, Oct. 6.
Hancock	Findlay	3	April 1, Oct. 21.....	10	1	Jan. 6, March 10, Sept. 8.
Hardin	Kenton	3	March 25, Dec. 2.....	10	1	Jan. 6, April 14, Sept. 22.
Harrison	Cadiz	7	June 10, Dec. 2.....	8	3	Jan. 7, March 25, Sept. 2.
Henry	Napoleon	3	Feb. 4, Oct. 2.....	3	3	Jan. 6, April 7, Sept. 15.
Highland	Hillsborough	4	April 29, Nov. 25.....	5	2	Feb. 24, June 2, Nov. 17.
Hocking	Logan	4	Feb. 11, Oct. 8.....	7	1	Feb. 24, May 5, Nov. 24.
Holmes	Millersburg	5	April 15, Nov. 18.....	6	3	Feb. 17, May 5, Nov. 17.
Huron	Norwalk	6	Jan. 27, Nov. 3.....	4	1	Feb. 3, May 12, Nov. 17.
Jackson	Jackson	4	June 8, Dec. 19.....	7	2	Feb. 17, May 5, Nov. 10.
Jefferson	Steubenville	7	June 8, Nov. 25.....	8	3	Feb. 4, April 22, Sept. 30.
Knox	Mt. Vernon	5	Feb. 25, Oct. 14.....	6	1	Feb. 17, May 19, Nov. 10.
Lake	Painesville	7	Feb. 4, Oct. 2.....	9	3	Feb. 24, July 21, Nov. 24.
Lawrence	Ironton	4	March 13, Oct. 29.....	7	2	Feb. 24, May 19, Nov. 10.
Licking	Newark	5	March 4, Oct. 21.....	6	1	Jan. 18, April 21, Sept. 15.
Logan	Bellefontaine	3	March 18, Sept. 25.....	10	3	Jan. 18, April 14, Sept. 15.
Lorain	Elyria	8	April 28, Sept. 29.....	4	2	Jan. 20, April 14, Oct. 13.
Lucas	Toledo	6	March 10, Sept. 17.....	4	1	Jan. 6, April 8, Sept. 22.
Madison	London	2	March 19, Oct. 13.....	5	8	Feb. 17, June 2, Nov. 3.
Mahoning	Youngstown	7	April 1, Nov. 5.....	9	2	Jan. 6, May 5, Sept. 15.
Marion	Marion	3	Jan. 14, Sept. 17.....	10	2	Feb. 10, May 19, Oct. 20.
Medina	Medina	8	May 6, Oct. 7.....	4	2	March 17, June 16, Sept. 15.
Meigs	Pomeroy	4	Feb. 26, Oct. 16.....	7	8	Jan. 7, April 8, Sept. 16.
Mercer	Cella	3	March 10, Oct. 13.....	3	1	March 3, June 2, Nov. 10.
Miami	Troy	2	March 24, Oct. 20.....	2	2	Jan. 6, May 5, Oct. 13.
Monroe	Woodsfield	4	April 2, Sept. 18.....	8	2	Jan. 7, March 25, Sept. 23.
Montgomery	Dayton	2	June 9, Dec. 11.....	2	2	Jan. 6, May 5, Oct. 13.
Morgan	McConnellsville	5	April 1, Nov. 4.....	8	1	March 3, May 13, Sept. 15.
Morrow	Mt. Gilead	5	May 13, Dec. 9.....	6	2	Feb. 3, May 5, Sept. 1.
Muskingum	Zanesville	5	March 18, Oct. 28.....	8	1	Jan. 6, March 31, Oct. 20.
Noble	Caldwell	7	June 17, Dec. 9.....	8	1	Jan. 7, March 25, Sept. 23.
Ottawa	Port Clinton	6	June 24, Dec. 9.....	4	1	Feb. 3, May 12, Nov. 3.
Paulding	Paulding	3	May 26, Oct. 6.....	3	2	Jan. 6, March 31, Oct. 13.
Perry	New Lexington	5	May 6, Sept. 17.....	7	1	Jan. 6, May 26, Sept. 22.
Pickaway	Circleville	4	May 7, Dec. 1.....	5	3	Jan. 6, April 14, Sept. 15.
Pike	Waverly	4	May 27, Dec. 16.....	7	2	Jan. 6, March 24, Sept. 8.
Portage	Ravenna	7	March 18, Oct. 28.....	9	2	Jan. 6, May 5, Sept. 15.
Preble	Eaton	2	May 6, Nov. 5.....	2	1	Feb. 17, June 9, Nov. 24.
Putnam	Ottawa	3	April 22, Nov. 6.....	3	3	Feb. 3, May 12, Oct. 20.
Richland	Mansfield	5	Jan. 14, Sept. 23.....	6	2	March 31, Sept. 1, Dec. 1.
Ross	Chilllicothe	4	May 15, Dec. 8.....	5	2	Jan. 13, April 8, Oct. 6.
Sandusky	Fremont	6	June 9, Dec. 15.....	4	1	Jan. 6, March 24, Sept. 1.

TIMES OF HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS, ETC.—
Concluded.

Counties.	County seats.	Circuita.	Circuit Courts.	Districts.	Subdivisions.	Common Pleas Courts.
Scioto	Portsmouth.....	4	March 19, Nov. 6.....	7	2	Jan. 13, April 8, Sept. 15.
Seneca	Tiffin.....	3	May 6, Dec. 9.	10	1	Feb. 17, May 19, Nov. 10.
Shelby	Sidney	2	April 9, Oct. 30.....	3	1	Jan. 6, April 7, Sept. 29.
Stark	Canton.....	5	Feb. 11, Oct. 7.....	9	1	Feb. 3, May 5, Oct. 6.
Summit	Akron.....	8	April 14, Sept. 17.....	4	2	Jan. 6, May 5, Sept. 22.
Trumbull	Warren.....	7	May 13, Oct. 21.....	9	2	Feb. 10, May 26, Oct. 13.
Tuscarawas	New Philadelphia.....	5	April 29, Dec. 2.....	8	3	Jan. 14, April 15, Sept. 16.
Union	Marysville.....	3	Jan. 21, Sept. 23.....	10	3	March 3, May 26, Nov. 3.
Van Wert	Van Wert.....	3	March 3, Oct. 8.....	3	1	Jan. 27, May 5, Oct. 13.
Vinton	McArthur.....	4	Feb. 18, Oct. 13.....	7	2	Jan. 27, April 14, Sept. 29.
Warren	Lebanon.....	1	April 28, Oct. 27.....	2	3	Jan. 13, May 5, Oct. 6.
Washington.....	Marletta	4	Jan. 16, Sept. 22.....	7	3	Feb. 3, May 5, Oct. 13.
Wayne	Wooster.....	5	Jan. 28, Sept. 30.....	6	3	March 3, Sept. 8, Nov. 24.
Williams	Bryan	6	May 26, Dec. 1.....	3	2	March 3, June 2, Nov. 17.
Wood	Bowling Green.....	6	Jan. 6, Oct. 20.....	10	1	Feb. 10, June 2, Nov. 17.
Wyandot	Upper Sandusky.....	3	Feb. 25, Nov. 25.....	10	2	March 10, June 16, Nov. 24.

THE STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, DANIEL J. RYAN, as Secretary of State of the State of Ohio, do hereby certify that the foregoing is a correct statement of the times of holding the Circuit Courts and Courts of Common Pleas in the several counties of the State of Ohio, in the year 1890, taken from the official lists returned by the judges of said courts to this office.

WITNESS my hand and official seal, this 24th day of June, A. D. 1890.

[SEAL.]

DANIEL J. RYAN,
Secretary of State

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